

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

**THIS PAGE BLANK (USPTO)**

(19) World Intellectual Property Organization  
International Bureau(43) International Publication Date  
28 August 2003 (28.08.2003)

PCT

(10) International Publication Number  
**WO 03/070700 A2**(51) International Patent Classification<sup>7</sup>:**C07D**(81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW.

(21) International Application Number: PCT/US03/04362

(22) International Filing Date: 14 February 2003 (14.02.2003)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

60/357,171	15 February 2002 (15.02.2002)	US
60/359,342	22 February 2002 (22.02.2002)	US
60/392,377	26 June 2002 (26.06.2002)	US

(84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

(71) Applicant: VIROLOGIC, INC. [US/US]; 345 Oyster Point Blvd., South San Francisco, CA 94080-4811 (US).

**Published:**

— without international search report and to be republished upon receipt of that report

(72) Inventors: PARKIN, Neil, T.; 1938 Bayview Avenue, Belmont, CA 94002 (US). CHAPPEY, Colombe; 1341 Valencia Street, San Francisco, CA 94110 (US). PETROPOULOS, Christos, J.; 415 Garcia Avenue, Half Moon Bay, CA 94019 (US).

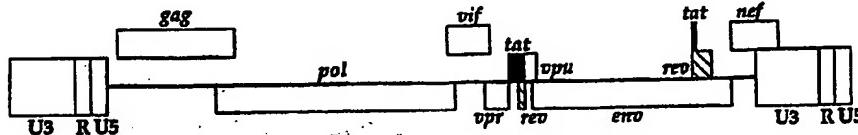
For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(74) Agents: GEORGE, Nikolas, C. et al.; Pennie &amp; Edmonds LLP, 1155 Avenue of the Americas, New York, NY 10036 (US).

(54) Title: COMPOSITIONS AND METHODS FOR DETERMINING THE SUSCEPTIBILITY OF A PATHOGENIC VIRUS TO PROTEASE INHIBITORS

**WO 03/070700 A2**

10F18



(57) Abstract: The present invention provides an approach for developing an algorithm for determining the effectiveness of anti-viral drugs based on a comprehensive analysis of paired phenotypic and genotypic data guided by phenotypic clinical cut-offs. In one aspect, the algorithm allows one to provide a patient with effective treatment. It helps predict whether an infected individual will respond to treatment with an anti-viral compound, thereby allowing an effective treatment regimen to be designed without subjecting the patient to unnecessary side effects. Also, by avoiding the administration of ineffective drugs, considerable time and money is saved.

**COMPOSITIONS AND METHODS FOR DETERMINING THE SUSCEPTIBILITY  
OF A PATHOGENIC VIRUS TO PROTEASE INHIBITORS**

---

This application is entitled to and claims priority to U.S. Provisional Application

- 5 Nos. 60/357,171, filed February 15, 2002; 60/359,342, filed February 22, 2002; and  
60/392,377, filed June 26, 2002, the contents of which are hereby incorporated by reference  
in their entireties.

**1. FIELD OF INVENTION**

- 10 This invention relates to compositions and methods for determining the  
susceptibility of a pathogenic virus to an anti-viral compound. The compositions and  
methods are useful for identifying effective drug regimens for the treatment of viral  
infections, and identifying and determining the biological effectiveness of potential  
therapeutic compounds.

15

**2. BACKGROUND OF THE INVENTION**

- More than 60 million people have been infected with the human immunodeficiency  
virus ("HIV"), the causative agent of acquired immune deficiency syndrome ("AIDS"),  
since the early 1980s. *See* Lucas, 2002, *Lepr Rev.* 73(1):64-71. HIV/AIDS is now the  
20 leading cause of death in sub-Saharan Africa, and is the fourth biggest killer worldwide. At  
the end of 2001, an estimated 40 million people were living with HIV globally. *See* Norris,  
2002, *Radiol Technol.* 73(4):339-363.

- Modern anti-HIV drugs target different stages of the HIV life cycle and a variety of  
enzymes essential for HIV's replication and/or survival. Amongst the drugs that have so far  
25 been approved for AIDS therapy are nucleoside reverse transcriptase inhibitors such as  
AZT, ddI, ddC, d4T, 3TC, abacavir, nucleotide reverse transcriptase inhibitors such as  
tenofovir, non-nucleoside reverse transcriptase inhibitors such as nevirapine, efavirenz,  
delavirdine and protease inhibitors such as saquinavir, ritonavir, indinavir, nelfinavir,  
amprenavir and lopinavir.

- 30 One consequence of the action of an anti-viral drug is that it can exert sufficient  
selective pressure on virus replication to select for drug-resistant mutants (Herrmann *et al.*,  
1977, *Ann NY Acad Sci* 284:632-637). With increasing drug exposure, the selective  
pressure on the replicating virus population increases to promote the more rapid emergence  
of drug resistant mutants.

35

With the inevitable emergence of drug resistance, strategies must be designed to optimize treatment in the face of resistant virus populations. Ascertaining the contribution of drug resistance to drug failure is difficult because patients that are likely to develop drug resistance are also likely to have other factors that predispose them to a poor prognosis

- 5 (Richman, 1994, *AIDS Res Hum Retroviruses* 10:901-905). In addition, each patient typically harbors a diverse mixture of mutant strains of the virus with different mutant strains having different susceptibilities to anti-viral drugs.

- The traditional tools available to assess anti-viral drug resistance are inadequate; the classical tests for determining the resistance of HIV to an anti-viral agent are complex, 10 time-consuming, expensive, potentially hazardous and not custom tailored to the treatment of a given patient. See Barre-Sinoussi *et al.*, 1983, *Science* 220:868-871; Popovic *et al.*, 1984, *Science* 224:497-500), and variations of it (see, e.g., Goedert *et al.*, 1987, *JAMA* 257:331-334; Allain *et al.*, 1987, *N. Engl. J. Med.* 317:1114-1121; Piatak *et al.*, 1993, *Science* 259:1749-1754; Urdea, 1993, *Clin. Chem.* 39:725-726; Kellam and Larder, 1994, 15 *Antimicrob Agents and Chemo.* 38:23-30.

- Two general approaches are now used for measuring resistance to anti-viral drugs. The first, called phenotypic testing, directly measures the susceptibility of virus taken from an infected person's virus to particular anti-viral drugs. Petropoulos *et al.*, 2000, *Antimicrob. Agents Chemother.* 44:920-928 and Hertogs *et al.*, 1998, *Antimicrob Agents Chemother.* 42(2):269-76 provide a description of phenotypic assays in widespread use today. Gunthard *et al.*, 1998, *AIDS Res Hum Retroviruses* 14:869-76 and Schuurman *et al.*, 1999, *J Clin Microbiol.* 37:2291-96 discuss currently prevalent genotypic assays. Hirsch *et al.*, 2000, *JAMA* 283:2417-26 provide a general analysis of the currently available assays for testing drug susceptibility.

- 25 The second method, called genotypic testing, detects mutations in the virus that affect drug susceptibility and can associate specific genetic mutations with drug resistance and drug failure. Genotypic testing examines virus taken from a patient, looking for the presence of specific genetic mutations that are associated with resistance to certain drugs. Genotypic testing has a few advantages over phenotypic testing, most notably the relative 30 simplicity and speed with which the test can be performed. The testing can take as little as a few days to complete, and because it is less complex, it is somewhat cheaper to perform. However, interpretation of genotypic data is dependent on previous knowledge of the relationships between specific mutations and changes in drug susceptibility.
- Carrillo *et al.*, 1998, *J. Virol.* 72:7532-41 describe the *in vitro* selection and 35 characterization of HIV-1 variants having reduced susceptibility to lopinavir. Nine different

mutations at 8 amino acid positions were associated with reduced susceptibility to lopinavir. A subsequent study found 23 different mutations at 11 positions in the HIV protease that correlated with reduced *in vitro* susceptibility to lopinavir in plasma samples of HIV-infected patients who had been treated previously with at least one protease inhibitor

5 (Kempf *et al.*, 2001, *J. Virol.* 75:7462-69). A crude algorithm that attempted to correlate the phenotypic resistance to lopinavir with the number of mutations observed at the 11 identified positions, and therefore to predict the effectiveness of lopinavir treatment, was postulated (Kempf *et al.*, 2000, *Antiviral Therapy* 5 (suppl. 3):70, abstract 89). According to the algorithm, a virus was susceptible to treatment with lopinavir if it had five or fewer

10 mutations at the 11 identified positions in its protease. If the number of mutations at these 11 positions was six or more, then the virus was predicted to be resistant to lopinavir treatment. *Id.*

Efforts to date to use genotypic correlates of reduced susceptibility to predict the effectiveness of anti-viral drugs, especially drugs targeted against the ever-evolving HIV

15 are, at best, imperfect. An algorithm that can more accurately predict whether a given anti-viral drug or combination of drugs would be effective in treating a given patient would save time and money by identifying drugs that are not likely to succeed before they are administered to the patient. More importantly, it would improve the quality of life of the patient by sparing him or her the trauma of treatment with potent toxins that result in no

20 improvement with respect to his or her HIV infection. Therefore, an urgent need exists for a more accurate algorithm for predicting whether a particular drug would be effective for treating a particular patient. Moreover, a genotype based assay can be faster and more cost effective than phenotypic assays.

25 3. **SUMMARY OF THE INVENTION**

The present invention provides methods and compositions for developing and using algorithms for determining the effectiveness of an anti-viral therapy or combination of therapies. The algorithms are based on an analysis of paired phenotypic and genotypic data guided by phenotypic clinical cut-offs (the point at which resistance to a therapy begins and

30 sensitivity ends). The algorithms significantly improve the quality of life of a patient by accurately predicting whether a given anti-viral drug would be effective in treating the patient, thereby sparing him or her the trauma of treatment with potent toxins that result in no improvement in his or her HIV infection.

In one aspect, the present invention provides algorithms that allow one to provide a

35 patient with an effective treatment regimen by predicting whether an infected individual will

respond to treatment with an anti-viral agent or combination of agents, thereby allowing an effective treatment regimen to be designed without subjecting the patient to unnecessary side effects. Also, by avoiding the administration of ineffective drugs, considerable time and money is saved.

5        In another aspect, the present invention provides methods for determining the susceptibility of a virus to an anti-viral treatment, comprising detecting, in the viral genome or viral enzymes, the presence or absence of mutations associated with reduced susceptibility to the anti-viral treatment.

10      In another aspect, the present invention provides methods for determining the effectiveness of an anti-viral treatment of an individual infected with a virus, comprising detecting, in a sample from said individual, the presence or absence of mutations associated with reduced susceptibility to the anti-viral treatment.

The present invention also provides methods of monitoring the clinical progression of viral infection in individuals receiving an anti-viral treatment by determining, as 15 described above, the effectiveness of the same or a different anti-viral treatment.

In one embodiment, the present invention provides nucleic acids and polypeptides comprising a mutation in the protease of a human immunodeficiency virus ("HIV") associated with reduced susceptibility to a protease inhibitor. Examples of protease inhibitors include, but are not limited to, saquinavir, ritonavir, indinavir, nelfinavir, 20 amprenavir and lopinavir. In one embodiment, the protease inhibitor is lopinavir.

In one aspect, the invention provides a method for determining whether a human immunodeficiency virus is likely to be resistant or susceptible to treatment with a protease inhibitor, comprising: detecting, in said HIV, the presence or absence of one or more of the HIV protease mutations listed in Table 7, assigning a weighting factor to each mutation as 25 provided in Table 7, and adding said weighting factors to get a total score for said individual wherein said individual is likely to be resistant to treatment with said protease inhibitor if said total score is equal to or greater than a cut-off score and said individual is likely to be susceptible to treatment with said protease inhibitor if said total score is less than said cut-off score. In one embodiment, the cut-off score is 6. In another embodiment, the cut-off 30 score is 7. In another embodiment, the cut-off score is 8.

In another aspect, the invention provides a method for determining whether a human immunodeficiency virus has an increased likelihood of having reduced susceptibility to treatment with a protease inhibitor, comprising: detecting, in said HIV, the presence or absence of one or more of the HIV protease mutations listed in Table 7; assigning a 35 weighting factor to each mutation as provided in Table 7; and adding said weighting factors

to get a total score for said HIV, wherein said HIV has an increased likelihood of being resistant to treatment with said protease inhibitor if said total score is equal to or greater than a cut-off score. In one embodiment, the cut-off score is 6. In another embodiment, the cut-off score is 7. In another embodiment, the cut-off score is 8.

- 5       In another aspect, the invention provides a method for determining whether an individual infected with a human immunodeficiency virus is likely to be resistant or susceptible to treatment with a protease inhibitor, comprising: detecting, in a sample from said individual, the presence or absence of one or more of the HIV protease mutations listed in Table 7, assigning a weighting factor to each mutation as provided in Table 7, and  
10 adding said weighting factors to get a total score for said individual wherein said individual is likely to be resistant to treatment with said protease inhibitor if said total score is equal to or greater than a cut-off score and said individual is likely to be susceptible to treatment with said protease inhibitor if said total score is less than said cut-off score. In one embodiment, the cut-off score is 6. In another embodiment, the cut-off score is 7. In  
15 another embodiment, the cut-off score is 8.

In another aspect, the invention provides a method for determining whether a HIV has an increased likelihood of having a reduced susceptibility to treatment with a protease inhibitor, comprising detecting in the protease of said HIV or in a nucleic acid of said HIV that encodes the protease, the presence or absence of a mutation associated with reduced  
20 susceptibility to treatment with said protease inhibitor at amino acid position 20, 33, 34, 43, 46, 48, 50, 54, 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino acid sequence of said protease, wherein the presence of said mutation indicates that the HIV has an increased likelihood of having reduced susceptibility to treatment with the protease inhibitor, with the proviso that said mutation is not K20M, K20R, M46I, M46L, I54L, I54T, I54V, L63P,  
25 V82A, V82F, V82T or I84V. In one embodiment, the mutation is detected in the protease of said HIV. In another embodiment, the mutation is detected in a nucleic acid of said HIV that encodes the protease.

In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is at amino acid position 20, 33, 34, 46, 50, 54, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino acid sequence of said protease, with the proviso that said mutation is not K20M, K20R, L33F, L33M, K43T, M46I, M46L, I50V, I54A, I54L, I54M, I54S, I54T, I54V, L63P, G73A, G73S, G73T, T74S, V82A, V82F, V82I, V82S, V82T or I84V.

In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is at amino acid position 10, 11, 32, 47, 53, 71 or 95

of the amino acid sequence of said protease, with the proviso that said mutation is not V32I or I47V. In one embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: L10F, F53L and A71L.

5       In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: K20I, M46V, I50L, I54A, I54M, I54S, L63T, V82S, I84A, I84L, L33F, L33I, L33V, E34D, E34K, E34Q, K43T, G48V, I50L, I50V, K55R, Q58E, G73C, G73T, T74A, T74P, T74S, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the  
10 group consisting of: K20I, M46V, I50L, L63T, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, I50V, I54M, G73C, T74A, T74P, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, M46V, I50L, L63T, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, G73C, T74A, T74P, L76V, P79A, P79D, P79E, L89I and L89M.

15      In another aspect, the invention provides a method for determining whether an individual infected with HIV has an increased likelihood of having a reduced susceptibility to treatment with a protease inhibitor, comprising detecting, in a sample from said individual, the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at amino acid position 20, 33, 34, 43, 46, 48, 50, 54, 20 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino acid sequence of the protease of the HIV, wherein the presence of said mutation indicates that the individual has an increased likelihood of having reduced susceptibility to treatment with the protease inhibitor, with the proviso that said mutation is not K20M, K20R, M46I, M46L, I54L, I54T, I54V, L63P, V82A, V82F, V82T or I84V. In one embodiment, the mutation is detected in the protease  
25 of said HIV. In another embodiment, the mutation is detected in a nucleic acid of said HIV that encodes the protease.

In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is at amino acid position 20, 33, 34, 46, 50, 54, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino acid sequence of the protease of the HIV, with  
30 the proviso that said mutation is not K20M, K20R, L33F, L33M, K43T, M46I, M46L, I50V, I54A, I54L, I54M, I54S, I54T, I54V, L63P, G73A, G73S, G73T, T74S, V82A, V82F, V82I, V82S, V82T or I84V.

In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is at amino acid position 10, 11, 32, 47, 53, 71 or 95  
35 of the amino acid sequence of the protease of the HIV, with the proviso that said mutation is

not V32I or I47V. In one embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: L10F, F53L and A71L.

- In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: K20I, M46V, I50L, I54A, I54M, I54S, L63T, V82S, I84A, I84L, L33F, L33I, L33V, E34D, E34K, E34Q, K43T, G48V, I50L, I50V, K55R, Q58E, G73C, G73T, T74A, T74P, T74S, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, M46V, I50L, L63T, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, I50V, I54M, G73C, T74A, T74P, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, M46V, I50L, L63T, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, G73C, T74A, T74P, L76V, P79A, P79D, P79E, L89I and L89M.

In another embodiment, the human immunodeficiency virus is human immunodeficiency virus type 1 ("HIV-1").

- In another aspect, the invention provides an isolated oligonucleotide encoding a protease in a HIV that comprises a mutation at amino acid position 20, 33, 34, 43, 46, 48, 50, 54, 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of an amino acid sequence of said protease in said human immunodeficiency virus, wherein the mutation is associated with reduced susceptibility to a protease inhibitor, with the proviso that said mutation is not K20M, K20R, M46I, M46L, I54L, I54T, I54V, L63P, V82A, V82F, V82T or I84V. In one embodiment, the oligonucleotide is between about 10 and about 100 nucleotides long. In another embodiment, the oligonucleotide is between about 10 and about 90 nucleotides long. In another embodiment, the oligonucleotide is between about 10 and about 80 nucleotides long. In another embodiment, the oligonucleotide is between about 10 and about 70 nucleotides long. In another embodiment, the oligonucleotide is between about 10 and about 60 nucleotides long. In another embodiment, the oligonucleotide is between about 10 and about 50 nucleotides long. In another embodiment, the oligonucleotide is between about 10 and about 40 nucleotides long. In another embodiment, the oligonucleotide is between about 10 and about 30 nucleotides long. In another embodiment, the oligonucleotide is between about 10 and about 20 nucleotides long.

In another embodiment, the isolated oligonucleotide comprises mutation associated with reduced susceptibility to a protease inhibitor at amino acid position 20, 33, 34, 43, 46, 48, 50, 54, 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of an amino acid sequence of said protease in said HIV with the proviso that said mutation is not K20M, K20R, L33F, L33M,

K43T, M46I, M46L, I50V, I54A, I54L, I54M, I54S, I54T, I54V, L63P, G73A, G73S, G73T, T74S, V82A, V82F, V82I, V82S, V82T or I84V. The oligonucleotide can be between about 10 and about 100, between about 10 and about 90, between about 10 and about 80, between about 10 and about 70, between about 10 and about 60, between about 10 and 5

about 50, between about 10 and about 40, between about 10 and about 30 or between about 10 and about 20 nucleotides long.

In another embodiment, the isolated oligonucleotide encodes a protease in a HIV that comprises a mutation at codon 20, 33, 34, 43, 46, 48, 50, 54, 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89, wherein the mutation is associated with reduced susceptibility to protease inhibitor, with the proviso that the codons do not encode M or R at position 20, I or L at position 46, L, T or V at position 54, P at position 63, A, F or T at position 82 or V at position 84. The oligonucleotide can be between about 10 and about 100, between about 10 and about 90, between about 10 and about 80, between about 10 and about 70, between about 10 and about 60, between about 10 and about 50, between about 10 and about 40, 10

between about 10 and about 30 or between about 10 and about 20 nucleotides long. 15

In another embodiment, the invention provides an isolated oligonucleotide encoding a protease in a HIV that comprises mutations at codon 20, 33, 34, 50, 54, 63, 66, 73, 74, 76, 79, 82 or 89, wherein the mutation is associated with reduced susceptibility to a protease inhibitor, with the proviso that the codons do not encode M or R at position 20, F or M at position 33, I or L at position 46, A, L, S, T or V at position 54, P at position 63, S or T at position 73, S at position 74, A, F or T at position 82 or V at position 84. The oligonucleotide can be between about 10 and about 100, between about 10 and about 90, between about 10 and about 80, between about 10 and about 70, between about 10 and about 60, between about 10 and about 50, between about 10 and about 40, between about 10 20

and about 30 or between about 10 and about 20 nucleotides long. 25

In another embodiment, the invention provides a polypeptide that comprises residues 1-10 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 11-20 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 21-30 of the amino acid sequence of SEQ 30

ID NO:1. In another embodiment, the polypeptide comprises residues 31-40 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 41-50 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 51-60 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 61-70 of the amino acid sequence 35

of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 71-80 of the

amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 81-90 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 91-99 of the amino acid sequence of SEQ ID NO:1.

In another embodiment, the polypeptide is at least 70%, but less than 100%, identical to a polypeptide having the amino acid sequence of SEQ ID NO:1.

- 5 identical to a polypeptide having the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide has an amino acid sequence that is at least 80% identical to the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide has an amino acid sequence that is at least 90% identical to the amino acid sequence of SEQ ID NO:1.

10 In one embodiment, the invention provides a method wherein the presence or absence of a mutation in a protease is detected by hybridization with a sequence-specific oligonucleotide probe to a nucleic acid sequence of human immunodeficiency virus encoding said mutation, wherein the occurrence of hybridization indicates said presence or absence of said mutation.

- 15 In another embodiment, the invention provides a method wherein the presence or absence of a mutation in a protease is detected by nucleic acid sequencing.

In one embodiment, the individual is undergoing or has undergone prior treatment with said or different protease inhibitor.

- 20 In one embodiment, the amino acid at position 20 of said protease is an amino acid having a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 20 of said protease is I. In another embodiment, the amino acid at position 33 of said protease is an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 33 of said protease is I, F or V. In another embodiment, the amino acid at position 33 of said protease is I or V. In another embodiment, the amino acid at position 34 of said protease is an amino acid having a basic, polar or hydrophilic side chain. In another embodiment, the amino acid at position 34 of said protease is K. In another embodiment, the amino acid at position 46 of said protease is an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 46 of said protease is V. In another embodiment, the amino acid 25 at position 50 of said protease is an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 50 of said protease is L or V. In another embodiment, the amino acid at position 54 of said protease is an amino acid with a neutral, hydrophobic, non-polar, hydrophilic or polar side chain. In another embodiment, the amino acid at position 54 of said protease is an amino acid with a neutral, hydrophobic 30 or non-polar side chain. In another embodiment, the amino acid at position 54 of said 35

protease is A or M. In another embodiment, the amino acid at position 54 of said protease is M. In another embodiment, the amino acid at position 54 of said protease is an amino acid with a neutral, hydrophilic or polar side chain. In another embodiment, the amino acid at position 54 of said protease is S. In another embodiment, the amino acid at position 63 of 5 said protease is an amino acid with a neutral, hydrophilic or polar side chain. In another embodiment, the amino acid at position 63 of said protease is T. In another embodiment, the amino acid at position 66 of said protease is an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 66 of said protease is F or V. In another embodiment, the amino acid at position 73 of said protease is 10 an amino acid with a neutral, hydrophilic or polar side chain. In another embodiment, the amino acid at position 73 of said protease is C or T. In another embodiment, the amino acid at position 73 of said protease is C. In another embodiment, the amino acid at position 74 of said protease is an amino acid with a neutral, hydrophobic, non-polar, hydrophilic or polar side chain. In another embodiment, the amino acid at position 74 of said protease is 15 an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 74 of said protease is A or P. In another embodiment, the amino acid at position 74 of said protease is an amino acid with a neutral, hydrophilic or polar side chain. In another embodiment, the amino acid at position 74 of said protease is S. In another embodiment, the amino acid at position 76 of said protease is an amino acid with a 20 neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 76 of said protease is V. In another embodiment, the amino acid at position 79 of said protease is an amino acid with a neutral, hydrophobic, non-polar, acidic, hydrophilic or polar side chain. In another embodiment, the amino acid at position 79 of said protease is an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 25 79 of said protease is A. In another embodiment, the amino acid at position 79 of said protease is an amino acid with an acidic, hydrophilic or polar side chain. In another embodiment, the amino acid at position 79 of said protease is D or E. In another embodiment, the amino acid at position 82 of said protease is an amino acid with a neutral, hydrophilic or polar side chain. In another embodiment, the amino acid at position 82 of said 30 protease is S. In another embodiment, the amino acid at position 84 of said protease is an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 84 of said protease is L. In another embodiment, the amino acid at position 89 of said protease is an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 89 of said 35 protease is I or M. In another embodiment, the amino acid at position 43 of said protease is

an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 43 of said protease is T. In another embodiment, the amino acid at position 48 of said protease is an amino acid with a neutral, hydrophobic or non-polar side chain. In another embodiment, the amino acid at position 48 of said protease is V. In 5 another embodiment, the amino acid at position 55 of said protease is an amino acid with a basic, hydrophilic or polar side chain. In another embodiment, the amino acid at position 55 of said protease is R. In another embodiment, the amino acid at position 58 of said protease is an amino acid with an acidic, hydrophilic or polar side chain. In another embodiment, the amino acid at position 58 of said protease is E.

- 10        In another aspect, the invention provides a method for detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at at least 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19 of the amino acid positions. In one embodiment, the invention provides a method for detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with 15 said protease inhibitor at 2 or more amino acid positions. In another embodiment, the invention provides a method for detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at 3 or more amino acid positions. In another embodiment, the invention provides a method for detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with 20 said protease inhibitor at 4 or more amino acid positions. In another embodiment, the invention provides a method for detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at 5 or more amino acid positions. In another embodiment, the invention provides a method for detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with 25 said protease inhibitor at 6 or more amino acid positions. In another embodiment, the invention provides a method for detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at 7 or more amino acid positions. In another embodiment, the invention provides a method for detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with 30 said protease inhibitor at 8 or more amino acid positions. In another embodiment, the invention provides a method for detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at 9 or more amino acid positions.

35        In another aspect, the invention provides a method for determining whether a HIV has an increased likelihood of having a reduced susceptibility to treatment with a first

- protease inhibitor, comprising detecting in the protease of said HIV the presence or absence of a mutation associated with reduced susceptibility to treatment with a second protease inhibitor at amino acid position 10, 11, 32, 33, 34, 43, 46, 47, 48, 50, 54, 58, 71, 76, 79, 82, 84 or 95 of the amino acid sequence of said protease, wherein the presence of said mutation
- 5 indicates that the HIV has an increased likelihood of having reduced susceptibility to treatment with said first protease inhibitor, with the proviso that said mutation is not V32I, M46I, M46L, I47V, I50V, I54L, I54M, V82A, or I84V. In one embodiment, the first protease inhibitor is lopinavir or amprenavir. In another embodiment, the second protease inhibitor is lopinavir or amprenavir.
- 10 In another aspect, the invention provides a method of determining whether an individual infected with HIV has an increased likelihood of having a reduced susceptibility to treatment with a first protease inhibitor, comprising detecting, in a sample from said individual, the presence or absence of a mutation associated with reduced susceptibility to treatment with a second protease inhibitor at amino acid position 10, 11, 32, 33, 34, 43, 46, 47, 48, 50, 54, 58, 71, 76, 79, 82, 84 or 95 of the amino acid sequence of the protease of the HIV, wherein the presence of said mutation indicates that the individual has an increased likelihood of having reduced susceptibility to treatment with said first protease inhibitor, with the proviso that said mutation is not V32I, M46I, M46L, I47V, I50V, I54L, I54M, V82A, or I84V. In one embodiment, the first protease inhibitor is lopinavir or amprenavir.
- 15 In another embodiment, the second protease inhibitor is lopinavir or amprenavir.
- 20 In another embodiment, the second protease inhibitor is lopinavir or amprenavir.

#### 4. BRIEF DESCRIPTION OF THE FIGURES

FIG. 1 is a diagrammatic representation of the genomic structure of HIV-1.

FIG. 2 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples obtained from a training data set with 2038 patients as a function of the number of the resistance-associated mutations in the protease. The genotypic "cutoff value" is 6, i.e., a HIV is defined as genotypically resistant to lopinavir if its total score is 6 or greater and genotypically sensitive if its total score is less than 6.

FIG. 3 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples as a function of the number of the resistance-associated mutations in the protease after the removal of samples containing mixtures of amino acids at any of the positions associated with reduced susceptibility to lopinavir. Those samples that contained both a wild-type and a mutant were excluded from the analysis.

FIG. 4 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples containing the mutation I50V in the protease as a function of the total number of the resistance-associated mutations in those samples.

5 FIG. 5 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples containing the mutations V82A, F, S, T or I in the protease as a function of the total number of the resistance-associated mutations in those samples.

FIG. 6 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples containing the mutations I54A, L, M, S, T or V in the protease as a function of the total number of the resistance-associated mutations in those samples.

10 FIG. 7 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples as a function of the number of the resistance-associated mutations in the protease after the removal of samples without any primary mutations associated with protease inhibitors and without an  $IC_{50}$  fold change ("FC") greater than two for any protease inhibitor.

15 FIG. 8 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples as a function of the number of the resistance-associated mutations in the protease after the removal of samples without any primary mutations associated with protease inhibitors and without an  $IC_{50}$  fold change ("FC") greater than two for any protease inhibitor and the removal of samples containing mixtures of amino acids at any of the 20 positions associated with reduced susceptibility to lopinavir. Only those samples that contained both, a wild-type or reference strain and a mutant were removed.

25 FIG. 9 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples containing the mutation I50V in the protease as a function of the total number of the resistance-associated mutations in those samples after the removal of samples without any primary mutations associated with protease inhibitors and without an  $IC_{50}$  fold change ("FC") greater than two for any protease inhibitor.

30 FIG. 10 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples containing the mutations V82A, F, S, T or I in the protease as a function of the total number of the resistance-associated mutations in those samples after the removal of samples without any primary mutations associated with protease inhibitors and without an  $IC_{50}$  fold change ("FC") greater than two for any protease inhibitor.

35 FIG. 11 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples containing the mutations I54A, L, M, S, T or V in the protease as a function of the total number of the resistance-associated mutations in those samples after

the removal of samples without any primary mutations associated with protease inhibitors and without an IC<sub>50</sub> fold change ("FC") greater than two for any protease inhibitor.

FIG. 12A shows the amino acid sequence of the NL4-3 HIV (GenBank Accession No. AF324493) protease (SEQ. ID. NO: 1).

5 FIG. 12B shows the nucleic acid sequence for the NL4-3 HIV (GenBank Accession No. AF324493) protease gene (SEQ. ID. NO: 2).

FIG. 13 shows the effect of the amino acid at position 82 on lopinavir fold change. The median (horizontal line), 25th and 75th percentile (box), 10th and 90th percentile (whiskers) and outliers (dots) are shown.

10 FIG. 14 shows the effect of amino acid at position 54 on lopinavir fold change. The median (horizontal line), 25th and 75th percentile (box), 10th and 90th percentile (whiskers) and outliers (dots) are shown.

15 FIG. 15 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples obtained from a training data set with 2195 patients as a function of the number of the resistance-associated mutations in the protease. The genotypic "cutoff value" is 8, i.e., a HIV is genotypically resistant to lopinavir if its total score is 8 or greater and genotypically sensitive if its total score is less than 8.

20 FIG. 16 is a scatter plot that shows the susceptibility to lopinavir (Log lopinavir fold change) of HIV samples obtained from data set of 1099 samples as a function of the number 25 of the resistance-associated mutations in the protease. The genotypic "cutoff value" is 7, i.e., a HIV is genotypically resistant to lopinavir if its total score is 7 or greater and genotypically sensitive if its total score is less than 7.

25 FIG. 17 shows the effect of mutations associated in HIV with resistance to Amprenavir ("APV") on resistance to lopinavir. The median (horizontal line), 25th and 75th percentile (box), 10th and 90th percentile (whiskers) and outliers (dots) are shown.

FIG. 18 shows a bivariate scatter plot of lopinavir fold change ("log LPV") versus amprenavir fold change ("log APV").

##### 5. DETAILED DESCRIPTION OF THE INVENTION

30 The present invention provides methods and compositions for developing an algorithm for determining the effectiveness of anti-viral drugs based on a comprehensive analysis of paired phenotypic and genotypic data guided by phenotypic clinical cut-offs. The present invention also provides methods for determining the susceptibility of a virus to an anti-viral treatment, methods for determining the effectiveness of an anti-viral treatment 35 of an individual infected with a virus, and methods of monitoring the clinical progression of

viral infection in individuals receiving anti-viral treatment. In another aspect, the present invention also provides nucleic acids and polypeptides comprising a mutation in the protease of a human immunodeficiency virus ("HIV") associated with reduced susceptibility to protease inhibitors, e.g., lopinavir.

5

### 5.1 Abbreviations

"LPV" is an abbreviation for the protease inhibitor lopinavir.

"APV" is an abbreviation for the protease inhibitor amprenavir.

10

"PI" is an abbreviation for protease inhibitor.

"PT-R" and "PT-S" are abbreviations for "phenotypically resistant" and "phenotypically sensitive," respectively.

15

"GT-R" and "GT-S" are abbreviations for "genotypically resistant" and "genotypically sensitive," respectively.

"PCR" is an abbreviation for "polymerase chain reaction."

20

"FC" is an abbreviation for "fold change."

The amino acid notations used herein for the twenty genetically encoded L-amino acids are conventional and are as follows:

25

Amino Acid	One-Letter Abbreviation	Three Letter Abbreviation
Alanine	A	Ala
Arginine	R	Arg
Asparagine	N	Asn
Aspartic acid	D	Asp
Cysteine	C	Cys
Glutamine	Q	Gln
Glutamic acid	E	Glu
Glycine	G	Gly

<u>Amino Acid</u>	<u>One-Letter Abbreviation</u>	<u>Three Letter Abbreviation</u>
Histidine	H	His
Isoleucine	I	Ile
5 Leucine	L	Leu
Lysine	K	Lys
Methionine	M	Met
Phenylalanine	F	Phe
10 Proline	P	Pro
Serine	S	Ser
Threonine	T	Thr
Tryptophan	W	Trp
Tyrosine	Y	Tyr
15 Valine	V	Val

Unless noted otherwise, when polypeptide sequences are presented as a series of one-letter and/or three-letter abbreviations, the sequences are presented in the N → C direction, in accordance with common practice.

Individual amino acids in a sequence are represented herein as AN, wherein A is the 20 standard one letter symbol for the amino acid in the sequence, and N is the position in the sequence. Mutations within an amino acid sequence are represented herein as A<sub>1</sub>NA<sub>2</sub>, wherein A<sub>1</sub> is the standard one letter symbol for the amino acid in the reference protein sequence, A<sub>2</sub> is the standard one letter symbol for the amino acid in the mutated protein sequence, and N is the position in the amino acid sequence. For example, a G25M mutation 25 represents a change from glycine to methionine at amino acid position 25. Mutations may also be represented herein as NA<sub>2</sub>, wherein N is the position in the amino acid sequence and A<sub>2</sub> is the standard one letter symbol for the amino acid in the mutated protein sequence (e.g., 25M, for a change from the wild-type amino acid to methionine at amino acid 30 position 25). Additionally, mutations may also be represented herein as A<sub>1</sub>N, wherein A<sub>1</sub> is the standard one letter symbol for the amino acid in the reference protein sequence and N is the position in the amino acid sequence (e.g., G25 represents a change from glycine to any amino acid at amino acid position 25). This notation is typically used when the amino acid in the mutated protein sequence is either not known or, if the amino acid in the mutated protein sequence could be any amino acid, except that found in the reference protein 35 sequence. The amino acid positions are numbered based on the full-length sequence of the

protein from which the region encompassing the mutation is derived. Representations of nucleotides and point mutations in DNA sequences are analogous.

The abbreviations used throughout the specification to refer to nucleic acids comprising specific nucleobase sequences are the conventional one-letter abbreviations.

- 5 Thus, when included in a nucleic acid, the naturally occurring encoding nucleobases are abbreviated as follows: adenine (A), guanine (G), cytosine (C), thymine (T) and uracil (U). Unless specified otherwise, single-stranded nucleic acid sequences that are represented as a series of one-letter abbreviations, and the top strand of double-stranded sequences, are presented in the 5' → 3' direction.

10

### 5.2 Definitions

As used herein, the following terms shall have the following meanings:

- Unless otherwise specified, "primary mutation" refers to a mutation that affects the enzyme active site, i.e. at those amino acid positions that are involved in the enzyme-substrate complex, or that reproducibly appears in an early round of replication when a virus is subject to the selective pressure of an anti-viral agent, or, that has a large effect on phenotypic susceptibility to an anti-viral agent.

- "Secondary Mutation" refers to a mutation that is not a primary mutation and that contributes to reduced susceptibility or compensates for gross defects imposed by a primary mutation.

- A "genotypic assay" is a test that determines a genetic sequence of an organism, a part of an organism, a gene or a part of a gene. Such assays are frequently performed in HIV to establish whether certain mutations are associated with drug resistance are present.

- As used herein, "genotypic data" are data about the genotype of, for example, a virus. Examples of genotypic data include, but are not limited to, the nucleotide or amino acid sequence of a virus, a part of a virus, a viral gene, a part of a viral gene, or the identity of one or more nucleotides or amino acid residues in a viral nucleic acid or protein.

- A "phenotypic assay" is a test that measures the sensitivity of a virus (such as HIV) to a specific anti-viral agent.

"Susceptibility" refers to a virus' response to a particular drug. A virus that has decreased or reduced susceptibility to a drug has an increased resistance or decreased sensitivity to the drug. A virus that has increased or enhanced or greater susceptibility to a drug has an increased sensitivity or decreased resistance to the drug.

5        Phenotypic susceptibility of a virus to a given drug is a continuum. Nonetheless, it is practically useful to define a threshold or thresholds to simplify interpretation of a particular fold-change result. For drugs where sufficient clinical outcome data have been gathered, it is possible to define a "clinical cutoff value," as below.

10      "Clinical Cutoff Value" refers to a specific point at which resistance begins and sensitivity ends. It is defined by the drug susceptibility level at which a patient's probability of treatment failure with a particular drug significantly increases. The cutoff value is different for different anti-viral agents, as determined in clinical studies. Clinical cutoff values are determined in clinical trials by evaluating resistance and outcomes data. Drug 15 susceptibility (phenotypic) is measured at treatment initiation. Treatment response, such as change in viral load, is monitored at predetermined time points through the course of the treatment. The drug susceptibility is correlated with treatment response and the clinical cutoff value is determined by resistance levels associated with treatment failure (statistical analysis of overall trial results).

20      "IC<sub>n</sub>" refers to Inhibitory Concentration. It is the concentration of drug in the patient's blood or *in vitro* needed to suppress the reproduction of a disease-causing microorganism (such as HIV) by n %. Thus, "IC<sub>50</sub>" refers to the concentration of an anti-viral agent at which virus replication is inhibited by 50% of the level observed in the 25 absence of the drug. "Patient IC<sub>50</sub>" refers to the drug concentration required to inhibit replication of the virus from a patient by 50% and "reference IC<sub>50</sub>" refers to the drug concentration required to inhibit replication of a reference or wild-type virus by 50%. Similarly, "IC<sub>90</sub>" refers to the concentration of an anti-viral agent at which 90% of virus replication is inhibited.

30      A "fold change" is a numeric comparison of the drug susceptibility of a patient virus and a drug-sensitive reference virus. It is the ratio of the Patient IC<sub>50</sub> to the drug-sensitive reference IC<sub>50</sub>, *i.e.*, Patient IC<sub>50</sub>/Reference IC<sub>50</sub> = Fold Change ("FC"). A fold change of 1.0 indicates that the patient virus exhibits the same degree of drug susceptibility as the 35 drug-sensitive reference virus. A fold change less than 1 indicates the patient virus is more

sensitive than the drug-sensitive reference virus. A fold change greater than 1 indicates the patient virus is less susceptible than the drug-sensitive reference virus. A fold change equal to or greater than the clinical cutoff value means the patient virus has a lower probability of response to that drug. A fold change less than the clinical cutoff value means the patient  
5 virus is sensitive to that drug.

"Lopinavir Fold Change" refers to the ratio of the IC<sub>50</sub> of lopinavir against the HIV from the patient plasma sample to the IC<sub>50</sub> for lopinavir against the NL4-3 (GenBank Accession No. AF324493) reference viral strain.

10

A virus is "sensitive" to lopinavir if it has a lopinavir fold change less than ten.

A virus is "resistant" to lopinavir if it has a lopinavir fold change of 10 or more.

15

A virus has an "increased likelihood of having reduced susceptibility" to an anti-viral treatment if the virus has a property, for example, a mutation, that is correlated with a reduced susceptibility to the anti-viral treatment. A property of a virus is correlated with a reduced susceptibility if a population of viruses having the property is, on average, less susceptible to the anti-viral treatment than an otherwise similar population of viruses lacking the property. Thus, the correlation between the presence of the property and reduced susceptibility need not be absolute, nor is there a requirement that the property is necessary (*i.e.*, that the property plays a causal role in reducing susceptibility) or sufficient (*i.e.*, that the presence of the property alone is sufficient) for conferring reduced susceptibility.

20

The term "% sequence homology" is used interchangeably herein with the terms "% homology," "% sequence identity" and "% identity" and refers to the level of amino acid sequence identity between two or more peptide sequences, when aligned using a sequence alignment program. For example, as used herein, 80% homology means the same thing as 30 80% sequence identity determined by a defined algorithm, and accordingly a homologue of a given sequence has greater than 80% sequence identity over a length of the given sequence. Exemplary levels of sequence identity include, but are not limited to, 60, 70, 80, 85, 90, 95, 98% or more sequence identity to a given sequence.

Exemplary computer programs which can be used to determine identity between two 35 sequences include, but are not limited to, the suite of BLAST programs, e.g., BLASTN,

BLASTX, and TBLASTX, BLASTP and TBLASTN, publicly available on the Internet at <http://www.ncbi.nlm.nih.gov/BLAST/>. See also Altschul *et al.*, 1990, *J. Mol. Biol.* 215:403-10 (with special reference to the published default setting, i.e., parameters w=4, t=17) and Altschul *et al.*, 1997, *Nucleic Acids Res.*, 25:3389-3402. Sequence searches are 5 typically carried out using the BLASTP program when evaluating a given amino acid sequence relative to amino acid sequences in the GenBank Protein Sequences and other public databases. The BLASTX program is preferred for searching nucleic acid sequences that have been translated in all reading frames against amino acid sequences in the GenBank Protein Sequences and other public databases. Both BLASTP and BLASTX are run using 10 default parameters of an open gap penalty of 11.0, and an extended gap penalty of 1.0, and utilize the BLOSUM-62 matrix. See Altschul, *et al.*, 1997.

A preferred alignment of selected sequences in order to determine "% identity" between two or more sequences, is performed using for example, the CLUSTAL-W program in MacVector version 6.5, operated with default parameters, including an open gap 15 penalty of 10.0, an extended gap penalty of 0.1, and a BLOSUM 30 similarity matrix.

"Polar Amino Acid" refers to a hydrophilic amino acid having a side chain that is uncharged at physiological pH, but which has at least one bond in which the pair of electrons shared in common by two atoms is held more closely by one of the atoms. 20 Genetically encoded polar amino acids include Asn (N), Gln (Q) Ser (S) and Thr (T).

"Nonpolar Amino Acid" refers to a hydrophobic amino acid having a side chain that is uncharged at physiological pH and which has bonds in which the pair of electrons shared in common by two atoms is generally held equally by each of the two atoms (i.e., the side 25 chain is not polar). Genetically encoded apolar amino acids include Ala (A), Gly (G), Ile (I), Leu (L), Met (M) and Val (V).

"Hydrophilic Amino Acid" refers to an amino acid exhibiting a hydrophobicity of less than zero according to the normalized consensus hydrophobicity scale of Eisenberg *et* 30 *al.*, 1984, *J. Mol. Biol.* 179:125-142. Genetically encoded hydrophilic amino acids include Arg (R), Asn (N), Asp (D), Glu (E), Gln (Q), His (H), Lys (K), Ser (S) and Thr (T).

"Hydrophobic Amino Acid" refers to an amino acid exhibiting a hydrophobicity of greater than zero according to the normalized consensus hydrophobicity scale of Eisenberg 35 *et al.*, 1984, *J. Mol. Biol.* 179:125-142. Genetically encoded hydrophobic amino acids

include Ala (A), Gly (G), Ile (I), Leu (L), Met (M), Phe (F), Pro (P), Trp (W), Tyr (Y) and Val (V).

5        "Acidic Amino Acid" refers to a hydrophilic amino acid having a side chain pK value of less than 7. Acidic amino acids typically have negatively charged side chains at physiological pH due to loss of a hydrogen ion. Genetically encoded acidic amino acids include Asp (D) and Glu (E).

10      "Basic Amino Acid" refers to a hydrophilic amino acid having a side chain pK value of greater than 7. Basic amino acids typically have positively charged side chains at physiological pH due to association with hydronium ion. Genetically encoded basic amino acids include Arg (R), His (H) and Lys (K).

15      A "mutation" is a change in an amino acid sequence or in a corresponding nucleic acid sequence relative to a reference nucleic acid or protein. For embodiments of the invention comprising HIV protease, the reference protease is the protease present in NL4-3 HIV (GenBank Accession No. AF324493). Although the amino acid sequence of a peptide can be determined directly by, for example, Edman degradation or mass spectroscopy, more typically, the amino sequence of a peptide is inferred from the nucleotide sequence of a 20 nucleic acid that encodes the peptide. Any method for determining the sequence of a nucleic acid known in the art can be used, for example, Maxam-Gilbert sequencing (Maxam *et al.*, 1980, *Methods in Enzymology* 65:499), dideoxy sequencing (Sanger *et al.*, 1977, *Proc. Natl. Acad. Sci. USA* 74:5463) or hybridization-based approaches (*see e.g.*, Maniatis *et al.*, 1989, *Molecular Cloning: A Laboratory Manual*, Cold Spring Harbor Laboratory, 25 NY and Ausubel *et al.*, 1989, *Current Protocols in Molecular Biology*, Greene Publishing Associates and Wiley Interscience, NY).

30      A "resistance-associated mutation" ("RAM") in a virus is a mutation correlated with reduced susceptibility of the virus to anti-viral agents. A RAM can be found in several viruses, including, but not limited to a human immunodeficiency virus ("HIV"). Such mutations can be found in one or more of the viral proteins, for example, in the protease, integrase, envelope or reverse transcriptase of HIV. A RAM is defined relative to a reference strain. For embodiments of the invention comprising HIV protease, the reference protease is the protease present in NL4-3 HIV (GenBank Accession No. AF324493).

A "mutant" is a virus, gene or protein having a sequence that has one or more changes relative to a reference virus, gene or protein.

The terms "peptide," "polypeptide" and "protein" are used interchangeably  
5 throughout.

The terms "reference" and "wild-type" are used interchangeably throughout.

The terms "polynucleotide," "oligonucleotide" and "nucleic acid" are used  
10 interchangeably throughout.

The term "about" refers to numbers 10% above or 10% below the number it is modifying. In instances where the number must be an integer, for example, nucleic acid length or amino acid length, if the resulting number is not an integer, then it is rounded up  
15 or rounded down to the nearest integer greater than zero.

### 5.3 Resistance-Associated Mutations

The present invention provides nucleic acids and polypeptides comprising a mutation in the protease of HIV. Preferably, the HIV is human immunodeficiency virus  
20 type 1 ("HIV-1"). The HIV can also, for example, be human immunodeficiency virus type 2 ("HIV-2"). In one embodiment, the mutation is associated with reduced susceptibility to a protease inhibitor. In another embodiment, the mutation is associated with increased susceptibility to a protease inhibitor. The protease inhibitor can be any protease inhibitor known to one of skill in the art. Examples of protease inhibitors include,  
25 but are not limited to, saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir. In one embodiment, the protease inhibitor is lopinavir.

In one aspect, the present invention provides peptides, polypeptides or proteins comprising a mutation in the protease of HIV associated with either reduced or increased susceptibility to a protease inhibitor, e.g., lopinavir. In one embodiment, the invention  
30 provides a polypeptide derived from the HIV protease and comprising a mutation associated with reduced susceptibility to a protease inhibitor. In another embodiment, the polypeptide comprises more than one mutation associated with reduced susceptibility to a protease inhibitor. In another embodiment, the polypeptide comprises a mutation associated with increased susceptibility to a protease inhibitor. In another embodiment, the polypeptide  
35 comprises more than one mutation associated with increased susceptibility to a protease

inhibitor. Polypeptides of the invention include peptides, polypeptides and proteins that are modified or derived from these polypeptides. In one embodiment, the polypeptide comprises post-translational modifications. In another embodiment, the polypeptide comprises one or more amino acid analogs.

- 5       In one embodiment, the polypeptide comprises one or more mutations associated with reduced susceptibility to lopinavir. Table 1 provides a list of mutations associated with reduced susceptibility to lopinavir. The amino acid or nucleic acid positions referred to throughout the document, refer to the protease amino acid or nucleic acid positions in SEQ ID NO: 1 or SEQ ID NO: 2, respectively, or to the corresponding positions in other viruses, 10 for example, those with additions or deletions in the protease and the gene that encodes the protease relative to the sequences in SEQ ID NO: 1 or SEQ ID NO: 2.

In another embodiment, the invention provides a polypeptide derived from the HIV protease and comprising a mutation selected from a group of mutations consisting of: K20I, M46V, I50L, I54A, I54M, I54S, L63T, V82S, I84A, I84L, L33F, L33I, L33V, E34D, E34K, 15 E34Q, K43T, G48V, I50V, K55R, Q58E, G73C, G73T, T74A, T74P, T74S, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: L33F, L33I, L33V, E34D, E34K, E34Q, K43T, G48V, I50L, I50V, K55R, Q58E, G73C, G73T, T74A, T74P, T74S, L76V, P79A, P79D, P79E, L89I and 20 L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, M46V, I54M, L63T, V82S, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, I50L, I50V, G73C, T74A, T74P, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: L33I, L33V, E34D, E34K, E34Q, I50L, I50V, G73C, T74A, T74P, L76V, P79A, P79D, P79E, L89I and L89M. In another 25 embodiment, the mutation is selected from the group consisting of: K20I, E34D, E34K, E34Q, E34Q, I50L, I50V, L63T, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: E34D, E34K, E34Q, I50L, I50V, L76V, P79A, P79D, P79E, L89I and L89M.

- In one embodiment, the polypeptide has the amino acid sequence of SEQ ID NO: 1, except that the sequence differs from that of SEQ ID NO: 1 in that it contains at least one 30 mutation associated with either reduced or increased susceptibility to a protease inhibitor, e.g., lopinavir. In other embodiments, such a polypeptide includes at least 5, 10, 15, 20, 25, 30, 40, 50, 60, 70, 80, 85, 90 or 95 contiguous amino acids of SEQ ID NO: 1.

In another embodiment, such a polypeptide comprises residues 1-10 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises 35 residues 11-20 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the

polypeptide comprises residues 21-30 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 31-40 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 41-50 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises 5 residues 51-60 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 61-70 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 71-80 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises residues 81-90 of the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide comprises 10 residues 91-99 of the amino acid sequence of SEQ ID NO:1.

In another embodiment, the polypeptide is at least 70%, but less than 100%, identical to a polypeptide having the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide has an amino acid sequence that is greater than 80% identical to the amino acid sequence of SEQ ID NO:1. In another embodiment, the polypeptide has 15 an amino acid sequence that is greater than 90% identical to the amino acid sequence of SEQ ID NO:1.

To determine the percent identity of two amino acid sequences or of two nucleic acids, the sequences are aligned for optimal comparison purposes (e.g., gaps can be introduced in the sequence of a first amino acid or nucleic acid sequence for optimal 20 alignment with a second amino or nucleic acid sequence). The amino acid residues or nucleotides at corresponding amino acid positions or nucleotide positions are then compared. When a position in the first sequence is occupied by the same amino acid residue or nucleotide as the corresponding position in the second sequence, then the molecules are identical at that position. The percent identity between the two sequences is a 25 function of the number of identical positions shared by the sequences (% identity = # of identical positions/total # of positions (e.g., overlapping positions) x 100). In one embodiment, the two sequences are the same length.

The determination of percent identity between two sequences can be accomplished using a mathematical algorithm. A preferred, non-limiting example of a mathematical 30 algorithm utilized for the comparison of two sequences is the algorithm of Karlin and Altschul (1990) *Proc. Natl. Acad. Sci. USA* 87:2264-2268, modified as in Karlin and Altschul (1993) *Proc. Natl. Acad. Sci. USA* 90:5873-5877. Such an algorithm is incorporated into the NBLAST and XBLAST programs of Altschul, *et al.* (1990) *J. Mol. Biol.* 215:403-410. BLAST nucleotide searches can be performed with the NBLAST 35 program, score = 100, wordlength = 12 to obtain nucleotide sequences homologous to a

nucleic acid molecules of the invention. BLAST protein searches can be performed with the XBLAST program, score = 50, wordlength = 3 to obtain amino acid sequences homologous to a protein molecules of the invention. To obtain gapped alignments for comparison purposes, Gapped BLAST can be utilized as described in Altschul *et al.* (1997)

- 5      *Nucleic Acids Res.* 25:3389-3402. Alternatively, PSI-Blast can be used to perform an iterated search that detects distant relationships between molecules. *Id.* When utilizing BLAST, Gapped BLAST, and PSI-Blast programs, the default parameters of the respective programs (e.g., XBLAST and NBLAST) can be used. See <http://www.ncbi.nlm.nih.gov>.
- 10     Another preferred, non-limiting example of a mathematical algorithm utilized for the comparison of sequences is the algorithm of Myers and Miller, CABIOS (1989). Such an algorithm is incorporated into the ALIGN program (version 2.0) that is part of the CGC sequence alignment software package. When utilizing the ALIGN program for comparing amino acid sequences, a PAM120 weight residue table, a gap length penalty of 12, and a gap penalty of 4 can be used. Additional algorithms for sequence analysis are known in the art and include ADVANCE and ADAM as described in Torellis and Robotti (1994)
- 15     *Comput. Appl. Biosci.*, 10:3-5; and FASTA described in Pearson and Lipman (1988) *Proc. Natl. Acad. Sci.* 85:2444-8. Within FASTA, ktup is a control option that sets the sensitivity and speed of the search. If ktup=2, similar regions in the two sequences being compared are found by looking at pairs of aligned residues; if ktup=1, single aligned amino acids are
- 20     examined. ktup can be set to 2 or 1 for protein sequences, or from 1 to 6 for DNA sequences. The default if ktup is not specified is 2 for proteins and 6 for DNA.

The percent identity between two sequences can be determined using techniques similar to those described above, with or without allowing gaps. In calculating percent identity, typically exact matches are counted.

- 25     In another embodiment, the present invention provides naturally-occurring or synthetically designed allelic variants of the polypeptides having an amino acid sequence of SEQ ID NO: 1. In another embodiment, the present invention provides polypeptides encoded by a nucleic acid molecule that is a naturally-occurring or synthetically designed allelic variant of a nucleic acid molecule having the nucleic acid sequence of SEQ ID NO: 2 or a complement thereof, except that the polypeptide differs from that encoded by SEQ ID NO: 2 in that it contains at least one mutation associated with either reduced or increased susceptibility to a protease inhibitor, e.g., lopinavir.

In another aspect, the present invention provides polynucleotides, oligonucleotides or nucleic acids encoding or relating to a polypeptide of the invention or a biologically active portion thereof, including, for example, nucleic acid molecules sufficient for use as

hybridization probes, PCR primers or sequencing primers for identifying, analyzing, mutating or amplifying the nucleic acids of the invention.

In one embodiment, the nucleic acid encodes a polypeptide comprising a mutation in the protease of HIV associated with either reduced or increased susceptibility to a protease inhibitor, *e.g.*, lopinavir. In one embodiment, the invention provides a nucleic acid encoding a polypeptide derived from the HIV protease and comprising one or more mutations associated with reduced susceptibility to a protease inhibitor. In another embodiment, the nucleic acid encodes a polypeptide that comprises one or more mutations associated with increased susceptibility to a protease inhibitor. Nucleic acids of the invention include nucleic acids, polynucleotides and oligonucleotides that are modified or derived from these nucleic acid sequences. In one embodiment, the nucleic acid comprises nucleic acid analogs.

In one embodiment, the nucleic acid can be the length of an HIV genome, *i.e.*, about 9200 nucleotides. In another embodiment, the nucleic acid can be about the length of a HIV protease coding sequence, *e.g.*, about 300 nucleotides. In other embodiments, the nucleic acid can correspond to a fragment of a HIV genome or a fragment of a HIV protease coding sequence. For example, the nucleic acid can be about 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 100, 110, 120, 125, 150, 175, 200, 250 or 300 nucleotides in length. Alternatively, the nucleic acid can be, for example, about 350, 375, 400, 425, 450, 475 or 500 nucleotides in length. The nucleic acid can be, for example, less than 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 100, 110, 120, 125, 150, 175, 200, 250, 300, 350, 375, 400, 425, 450, 475, 500, 525, 550, 575, 600, 650, 700, 750, 800, 850, 900, 950, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, 1800, 1900, 2000, 2500, 3000, 3500, 4000, 4500, 5000, 5500, 6000, 6500, 7000, 7500, 8000, 8500 or 9000 nucleotides in length. In a preferred embodiment, the nucleic acid has a length and a sequence suitable for detecting a mutation described herein, for example, as a probe or a primer.

In one embodiment, the nucleic acid encodes a polypeptide that comprises one or more mutations associated with reduced susceptibility to lopinavir. Table 1 provides a list of mutations associated with reduced susceptibility to lopinavir.

In another embodiment, the invention provides a nucleic acid encoding a polypeptide derived from the HIV protease and comprising a mutation selected from a group of mutations consisting of: K20I, M46V, I54A, I54M, I54S, L63T, V82S, I84A, I84L,

- L33F, L33I, L33V, E34D, E34K, E34Q, K43T, G48V, I50L, I50V, K55R, Q58E, G73C, G73T, T74A, T74P, T74S, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: L33F, L33I, L33V, E34D, E34K, E34Q, K43T, G48V, I50L, I50V, K55R, Q58E, G73C, G73T, T74A, T74P, 5 T74S, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, M46V, I54M, L63T, V82S, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, I50L, I50V, G73C, T74A, T74P, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: L33I, L33V, E34D, E34K, E34Q, I50L, I50V, G73C, T74A, T74P, L76V, P79A, P79D, 10 P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, E34D, E34K, E34Q, I50L, I50V, L63T, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: E34D, E34K, E34Q, I50L, I50V, L76V, P79A, P79D, P79E, L89I and L89M.

In another embodiment, the oligonucleotide has the nucleic acid sequence of SEQ

- 15 ID NO: 2, except that the sequence differs from that of SEQ ID NO: 2 in that it encodes at least one mutation associated with either reduced or increased susceptibility to a protease inhibitor, e.g., lopinavir. In other embodiments, such an oligonucleotide includes at least 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 110, 120, 150, 180, 210, 240, 255, 270 or 285 20 contiguous nucleic acids of SEQ ID NO: 2.

In another embodiment, such an oligonucleotide comprises residues 1-30 of the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide comprises residues 31-60 of the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide comprises residues 61-90 of the nucleic acid sequence of 25 SEQ ID NO:2. In another embodiment, the oligonucleotide comprises residues 91-120 of the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide comprises residues 121-150 of the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide comprises residues 151-180 of the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide comprises residues 181-210 30 of the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide comprises residues 211-240 of the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide comprises residues 241-270 of the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide comprises residues 271-297 of the nucleic acid sequence of SEQ ID NO:2.

- In another embodiment, the oligonucleotide is at least 60%, but less than 100%, identical to an oligonucleotide having the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide has an nucleic acid sequence that is greater than 70% identical to the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the 5 oligonucleotide has an nucleic acid sequence that is greater than 80% identical to the nucleic acid sequence of SEQ ID NO:2. In another embodiment, the oligonucleotide has an nucleic acid sequence that is greater than 90% identical to the nucleic acid sequence of SEQ ID NO:2. The percent identity of two nucleic acid sequences can be determined as described above.
- 10 In addition to the nucleotide sequence of SEQ ID NO: 2, it will be appreciated by those skilled in the art that DNA sequence polymorphisms that lead to changes in the amino acid sequence may exist within a population (*e.g.*, the human population). Such genetic polymorphisms may exist among individuals within a population due to natural allelic variation. Natural allelic variations can typically result in 1-5% variance in the nucleotide 15 sequence of a given gene. Any and all such nucleotide variations and resulting amino acid variations or polymorphisms that are the result of natural allelic variation and that do not alter the functional activity are intended to be within the scope of the invention.

In another embodiment, the present invention provides nucleic acid molecules that are suitable for use as primers or hybridization probes for the detection of nucleic acid 20 sequences of the invention. A nucleic acid molecule of the invention can comprise only a portion of a nucleic acid sequence encoding a full length polypeptide of the invention for example, a fragment that can be used as a probe or primer or a fragment encoding a biologically active portion of a polypeptide of the invention. The probe can comprise a labeled group attached thereto, *e.g.*, a radioisotope, a fluorescent compound, an enzyme, or 25 an enzyme co-factor. In various embodiments, the nucleic acid molecules of the invention can be modified at the base moiety, sugar moiety or phosphate backbone.

#### **5.4 Finding Drug Resistance-Associated Viral Mutations**

In another aspect, the present invention provides methods for finding resistance- 30 associated mutation in a virus or a derivative of the virus.

##### **5.4.1 The Virus and Viral Samples**

A resistance-associated mutation ("RAM") according to the present invention can be present in any type of virus, for example, any virus found in animals. In one embodiment of 35 the invention, the virus includes viruses known to infect mammals, including dogs, cats,

horses, sheep, cows etc. In a preferred embodiment, the virus is known to infect primates. In an even more preferred embodiment the virus is known to infect humans. Examples of human viruses include, but are not limited to, human immunodeficiency virus ("HIV"), herpes simplex virus, cytomegalovirus virus, varicella zoster virus, other human herpes viruses, influenza A virus, respiratory syncytial virus, hepatitis A, B and C viruses, rhinovirus, and human papilloma virus. In one embodiment of the invention, the virus is HIV. Preferably, the virus is human immunodeficiency virus type 1 ("HIV-1"). The HIV can also, for example, be human immunodeficiency virus type 2 ("HIV-2"). The foregoing are representative of certain viruses for which there is presently available anti-viral chemotherapy and represent the viral families retroviridae, herpesviridae, orthomyxoviridae, paramyxovirus, picornavirus, flavivirus, pneumovirus and hepadnaviridae. This invention can be used with other viral infections due to other viruses within these families as well as viral infections arising from viruses in other viral families for which there is or there is not a currently available therapy.

15 A RAM according to the present invention can be found in a viral sample obtained by any means known in the art for obtaining viral samples. Such methods include, but are not limited to, obtaining a viral sample from a human or an animal infected with the virus or obtaining a viral sample from a viral culture. In one embodiment, the viral sample is obtained from a human individual infected with the virus. The viral sample could be 20 obtained from any part of the infected individual's body or any secretion expected to contain the virus. Examples of such parts include, but are not limited to blood, serum, plasma, sputum, lymphatic fluid, semen, vaginal mucus and samples of other bodily fluids. In one embodiment, the sample is a blood, serum or plasma sample.

In another embodiment, a RAM according to the present invention is present in a 25 virus that can be obtained from a culture. In some embodiments, the culture can be obtained from a laboratory. In other embodiments, the culture can be obtained from a collection, for example, the American Type Culture Collection.

In certain embodiments, a RAM according to the present invention is present in a derivative of a virus. In one embodiment, the derivative of the virus is not itself pathogenic. 30 In another embodiment, the derivative of the virus is a plasmid-based system, wherein replication of the plasmid or of a cell transfected with the plasmid is affected by the presence or absence of the selective pressure, such that mutations are selected that increase resistance to the selective pressure. In some embodiments, the derivative of the virus comprises the nucleic acids or proteins of interest, for example, those nucleic acids or 35 proteins to be targeted by an anti-viral treatment. In one embodiment, the genes of interest

can be incorporated into a vector. See, e.g., U.S. Patent Numbers 5,837,464 and 6,242,187 and PCT publication, WO 99/67427, each of which is incorporated herein by reference. In a preferred embodiment, the genes can be those that encode for a protease or reverse transcriptase.

- 5       In another embodiment, the intact virus need not be used. Instead, a part of the virus incorporated into a vector can be used. Preferably that part of the virus is used that is targeted by an anti-viral drug.

In another embodiment, a RAM according to the present invention is present in a genetically modified virus. The virus can be genetically modified using any method known 10 in the art for genetically modifying a virus. For example, the virus can be grown for a desired number of generations in a laboratory culture. In one embodiment, no selective pressure is applied (i.e., the virus is not subjected to a treatment that favors the replication of viruses with certain characteristics), and new mutations accumulate through random genetic drift. In another embodiment, a selective pressure is applied to the virus as it is 15 grown in culture (i.e., the virus is grown under conditions that favor the replication of viruses having one or more characteristics). In one embodiment, the selective pressure is an anti-viral treatment. Any known anti-viral treatment can be used as the selective pressure. In one embodiment, the virus is HIV and the selective pressure is a protease inhibitor. In another embodiment, the virus is HIV-1 and the selective pressure is a protease inhibitor. 20 Any protease inhibitor can be used to apply the selective pressure. Examples of protease inhibitors include, but are not limited to, saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir. In one embodiment, the protease inhibitor is selected from a group consisting of saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir. In another embodiment, the protease inhibitor is lopinavir. By treating HIV cultured *in vitro* 25 with a protease inhibitor, e.g., lopinavir, one can select for mutant strains of HIV that have an increased resistance to amprenavir. The stringency of the selective pressure can be manipulated to increase or decrease the survival of viruses not having the selected-for characteristic.

In another aspect, a RAM according to the present invention is made by 30 mutagenizing a virus, a viral genome, or a part of a viral genome. Any method of mutagenesis known in the art can be used for this purpose. In one embodiment, the mutagenesis is essentially random. In another embodiment, the essentially random mutagenesis is performed by exposing the virus, viral genome or part of the viral genome to a mutagenic treatment. In another embodiment, a gene that encodes a viral protein that is 35 the target of an anti-viral therapy is mutagenized. Examples of essentially random

- mutagenic treatments include, for example, exposure to mutagenic substances (e.g., ethidium bromide, ethylmethanesulphonate, ethyl nitroso urea (ENU) etc.) radiation (e.g., ultraviolet light), the insertion and/or removal of transposable elements (e.g., Tn5, Tn10), or replication in a cell, cell extract, or *in vitro* replication system that has an increased rate of 5 mutagenesis. See, e.g., Russell *et al.*, 1979, *Proc. Nat. Acad. Sci. USA* 76:5918-5922; Russell, W., 1982, Environmental Mutagens and Carcinogens: Proceedings of the Third International Conference on Environmental Mutagens. One of skill in the art will appreciate that while each of these methods of mutagenesis is essentially random, at a molecular level, each has its own preferred targets.
- 10 In another aspect, a mutation that might affect the sensitivity of a virus to an anti-viral therapy is made using site-directed mutagenesis. Any method of site-directed mutagenesis known in the art can be used (see e.g., Maniatis *et al.*, 1989, *Molecular Cloning: A Laboratory Manual*, Cold Spring Harbor Laboratory, NY and Ausubel *et al.*, 1989, *Current Protocols in Molecular Biology*, Greene Publishing Associates and Wiley 15 Interscience, NY). The site directed mutagenesis can be directed to, e.g., a particular gene or genomic region, a particular part of a gene or genomic region, or one or a few particular nucleotides within a gene or genomic region. In one embodiment, the site directed mutagenesis is directed to a viral genomic region, gene, gene fragment, or nucleotide based on one or more criteria. In one embodiment, a gene or a portion of a gene is subjected to 20 site-directed mutagenesis because it encodes a protein that is known or suspected to be a target of an anti-viral therapy, e.g., the gene encoding the HIV protease. In another embodiment, a portion of a gene, or one or a few nucleotides within a gene, are selected for site-directed mutagenesis. In one embodiment, the nucleotides to be mutagenized encode amino acid residues that are known or suspected to interact with an anti-viral compound. In 25 another embodiment, the nucleotides to be mutagenized encode amino acid residues that are known or suspected to be mutated in viral strains having decreased susceptibility to the anti-viral treatment. In another embodiment, the mutagenized nucleotides encode amino acid residues that are adjacent to or near in the primary sequence of the protein residues known or suspected to interact with an anti-viral compound or known or suspected to be mutated in 30 viral strains having decreased susceptibility to an anti-viral treatment. In another embodiment, the mutagenized nucleotides encode amino acid residues that are adjacent to or near to in the secondary, tertiary or quaternary structure of the protein residues known or suspected to interact with an anti-viral compound or known or suspected to be mutated in viral strains having decreased susceptibility to an anti-viral treatment. In another 35 embodiment, the mutagenized nucleotides encode amino acid residues in or near the active

site of a protein that is known or suspected to bind to an anti-viral compound. See, e.g., Sarkar and Sommer, 1990, *Biotechniques*, 8:404-407.

#### 5.4.2 Detecting the Presence or Absence of Mutations in a Virus

- 5       The presence or absence of a RAM according to the present invention in a virus can be detected by any means known in the art for detecting a mutation. The mutation can be detected in the viral gene that encodes a particular protein, or in the protein itself, i.e., in the amino acid sequence of the protein.
- 10      In one embodiment, the mutation is in the viral genome. Such a mutation can be in, for example, a gene encoding a viral protein, in a *cis* or *trans* acting regulatory sequence of a gene encoding a viral protein, an intergenic sequence, or an intron sequence. The mutation can affect any aspect of the structure, function, replication or environment of the virus that changes its susceptibility to an anti-viral treatment. In one embodiment, the mutation is in a gene encoding a viral protein that is the target of an anti-viral treatment.
- 15      A mutation within a viral gene can be detected by utilizing a number of techniques. Viral DNA or RNA can be used as the starting point for such assay techniques, and may be isolated according to standard procedures which are well known to those of skill in the art. Viral DNA or RNA may be used in hybridization or amplification assays to detect abnormalities involving gene structure, including point mutations, insertions, deletions and
- 20      genomic rearrangements. Such assays may include, but are not limited to, Southern analyses (Southern, 1975, *J. Mol. Biol.* 98:503-517), single stranded conformational polymorphism analyses (SSCP) (Orita *et al.*, 1989, *Proc. Natl. Acad. Sci. USA* 86:2766-2770), and PCR analyses (U.S. Patent Nos. 4,683,202; 4,683,195; 4,800,159; and 4,965,188; PCR Strategies, 1995 Innis *et al.* (eds.), Academic Press, Inc.).
- 25      Such diagnostic methods for the detection of a gene-specific mutation can involve for example, contacting and incubating the viral nucleic acids with one or more labeled nucleic acid reagents including recombinant DNA molecules, cloned genes or degenerate variants thereof, under conditions favorable for the specific annealing of these reagents to their complementary sequences. Preferably, the lengths of these nucleic acid reagents are at
- 30      least 15 to 30 nucleotides. After incubation, all non-annealed nucleic acids are removed from the nucleic acid molecule hybrid. The presence of nucleic acids which have hybridized, if any such molecules exist, is then detected. Using such a detection scheme, the nucleic acid from the virus can be immobilized, for example, to a solid support such as a membrane, or a plastic surface such as that on a microtiter plate or polystyrene beads. In
- 35      this case, after incubation, non-annealed, labeled nucleic acid reagents of the type described

above are easily removed. Detection of the remaining, annealed, labeled nucleic acid reagents is accomplished using standard techniques well-known to those in the art. The gene sequences to which the nucleic acid reagents have annealed can be compared to the annealing pattern expected from a normal gene sequence in order to determine whether a 5 gene mutation is present.

Alternative diagnostic methods for the detection of gene specific nucleic acid molecules may involve their amplification, *e.g.*, by PCR (U.S. Patent Nos. 4,683,202; 4,683,195; 4,800,159; and 4,965,188; PCR Strategies, 1995 Innis et al. (eds.), Academic Press, Inc.), followed by the detection of the amplified molecules using techniques well known to those of skill in the art. The resulting amplified sequences can be compared to those which would be expected if the nucleic acid being amplified contained only normal copies of the respective gene in order to determine whether a gene mutation exists.

Additionally, the nucleic acid can be sequenced by any sequencing method known in the art. For example, the viral DNA can be sequenced by the dideoxy method of Sanger *et al.*, 1977, *Proc. Natl. Acad. Sci. USA* 74:5463, as further described by Messing *et al.*, 1981, *Nuc. Acids Res.* 9:309, or by the method of Maxam *et al.*, 1980, *Methods in Enzymology* 65:499. See also the techniques described in Maniatis *et al.*, 1989, *Molecular Cloning: A Laboratory Manual*, Cold Spring Harbor Laboratory, NY and Ausubel *et al.*, 1989, *Current Protocols in Molecular Biology*, Greene Publishing Associates and Wiley Interscience, NY.

20       Antibodies directed against the viral gene products, *i.e.*, viral proteins or viral peptide fragments can also be used to detect mutations in the viral proteins. Alternatively, the viral protein or peptide fragments of interest can be sequenced by any sequencing method known in the art in order to yield the amino acid sequence of the protein of interest. An example of such a method is the Edman degradation method which can be used to 25 sequence small proteins or polypeptides. Larger proteins can be initially cleaved by chemical or enzymatic reagents known in the art, for example, cyanogen bromide, hydroxylamine, trypsin or chymotrypsin, and then sequenced by the Edman degradation method.

### 30           5.5 Measuring Phenotypic Susceptibility of a Mutant Virus

Any method known in the art can be used to determine the phenotypic susceptibility of a mutant virus or population of viruses to an anti-viral therapy. *See e.g.*, U.S. Patent Nos. 5,837,464 and 6,242,187, incorporated herein by reference in their entirities. In some embodiments a phenotypic analysis is performed, *i.e.*, the susceptibility of the virus to a 35 given anti-viral agent can be assayed with respect to the susceptibility of a reference virus

without the mutations. This is a direct, quantitative measure of drug susceptibility and can be performed by any method known in the art to determine the susceptibility of a virus to an anti-viral agent. An example of such methods includes, but is not limited to, determining the fold change in IC<sub>50</sub> values with respect to a reference virus. Phenotypic testing measures 5 the ability of a specific viral strain to grow in vitro in the presence of a drug inhibitor. A virus is less susceptible to a particular drug when more of the drug is required to inhibit viral activity, versus the amount of drug required to inhibit the reference virus.

In one embodiment, phenotypic analysis is performed and used to calculate the IC<sub>50</sub> or IC<sub>90</sub> of a drug for a viral strain. The results of the analysis can also be presented as fold-10 change in IC<sub>50</sub> or IC<sub>90</sub> for each viral strain as compared with a drug-susceptible control strain or a prior viral strain from the same patient. Because the virus is directly exposed to each of the available anti-viral medications, results can be directly linked to treatment response. For example, if the patient virus shows resistance to a particular drug, that drug is avoided or omitted from the patient's treatment regimen, allowing the physician to design a 15 treatment plan that is more likely to be effective for a longer period of time.

In another embodiment, the phenotypic analysis is performed using recombinant virus assays ("RVAs"). RVAs use virus stocks generated by homologous recombination between viral vectors and viral gene sequences, amplified from the patient virus. In some embodiments, the viral vector is a HIV vector and the viral gene sequences can be protease 20 and reverse transcriptase sequences.

In one embodiment, the phenotypic analysis is performed using PHENOSENSE™ (ViroLogic Inc., South San Francisco, CA). See Petropoulos *et al.*, 2000, *Antimicrob. Agents Chemother.* 44:920-928; U.S. Patent Nos. 5,837,464 and 6,242,187.

PHENOSENSE™ is a phenotypic assay that achieves the benefits of phenotypic testing and 25 overcomes the drawbacks of previous assays. Because the assay has been automated, PHENOSENSE™ offers higher throughput under controlled conditions. The result is an assay that accurately defines the susceptibility profile of a patient's HIV isolates to all currently available antiretroviral drugs, and delivers results directly to the physician within about 10 to about 15 days of sample receipt. PHENOSENSE™ is accurate and can obtain 30 results with only one round of viral replication, thereby avoiding selection of subpopulations of virus. The results are quantitative, measuring varying degrees of drug susceptibility, and sensitive – the test can be performed on blood specimens with a viral load of about 500 copies/mL and can detect minority populations of some drug-resistant virus at concentrations of 10% or less of total viral population. Furthermore, the results are

reproducible and can vary by less than about 1.4-2.5 fold, depending on the drug, in about 95% of the assays performed.

PHENOSENSE™ can be used with nucleic acids from amplified viral gene sequences. As discussed in Section 5.4.1, the sample containing the virus may be a sample 5 from a human or an animal infected with the virus or a sample from a culture of viral cells. In one embodiment, the viral sample comprises a genetically modified laboratory strain.

A resistance test vector ("RTV") can then be constructed by incorporating the amplified viral gene sequences into a replication defective viral vector by using any method known in the art of incorporating gene sequences into a vector. In one embodiment, 10 restrictions enzymes and conventional cloning methods are used. See Maniatis *et al.*, 1989, *Molecular Cloning: A Laboratory Manual*, Cold Spring Harbor Laboratory, NY and Ausubel *et al.*, 1989, *Current Protocols in Molecular Biology*, Greene Publishing Associates and Wiley Interscience, NY. In some embodiments, *Apal* and *PinAI* restriction enzymes are used. Preferably, the replication defective viral vector is the indicator gene 15 viral vector ("IGVV"). In some embodiments, the viral vector contains a means for detecting replication of the RTV. Preferably, the viral vector contains a luciferase expression cassette.

The assay can be performed by first co-transfected host cells with RTV DNA and a plasmid that expresses the envelope proteins of another retrovirus, for example, 20 amphotropic murine leukemia virus (MLV). Following transfection, virus particles can be harvested and used to infect fresh target cells. The completion of a single round of viral replication can be detected by the means for detecting replication contained in the vector. In one embodiment, the completion of a single round of viral replication results in the production of luciferase. Serial concentrations of anti-viral agents can be added at either the 25 transfection step or the infection step.

Susceptibility to the anti-viral agent can be measured by comparing the replication of the vector in the presence and absence of the anti-viral agent. For example, susceptibility to the anti-viral agent can be measured by comparing the luciferase activity in the presence and absence of the anti-viral agent. Susceptible viruses would produce low levels of 30 luciferase activity in the presence of anti-viral agents, whereas viruses with reduced susceptibility would produce higher levels of luciferase activity.

In one embodiment, PHENOSENSE™ is used in evaluating the phenotypic susceptibility of HIV-1 to anti-viral drugs. Preferably, the anti-viral drug is a protease inhibitor. More preferably, it is lopinavir. In some embodiments, the reference viral strain 35 is HIV strain NL4-3 or HXB-2.

In one embodiment, viral nucleic acid, for example, HIV-1 RNA can be extracted from plasma samples, and a fragment of, or entire viral genes could be amplified by methods such as, but not limited to PCR. See, e.g., Hertogs *et al.*, 1998, *Antimicrob Agents Chemother* 42(2):269-76. In one example, a 2.2-kb fragment containing the entire HIV-1

- 5 PR- and RT-coding sequence can be amplified by nested reverse transcription-PCR. The pool of amplified nucleic acid, for example, the PR-RT-coding sequences, can then be cotransfected into a host cell such as CD4+ T lymphocytes (MT4) with the pGEMT3deltaPRT plasmid from which most of the PR (codons 10 to 99) and RT (codons 1 to 482) sequences are deleted. Homologous recombination leads to the generation of
- 10 chimeric viruses containing viral coding sequences, such as the PR- and RT-coding sequences derived from HIV-1 RNA in plasma. The susceptibilities of the chimeric viruses to all currently available anti-viral agents targeting the products of the transfected genes (proRT and/or PR inhibitors, for example), can be determined by any cell viability assay known in the art. For example, an MT4 cell-3-(4,5-dimethylthiazol-2-yl)
- 15 -2,5-diphenyltetrazolium bromide-based cell viability assay can be used in an automated system that allows high sample throughput. The profile of resistance to all the anti-viral agents, such as the RT and PR inhibitors can be displayed graphically in a single PR-RT-Antivirogram.

Other assays for evaluating the phenotypic susceptibility of a virus to anti-viral drugs known to one of skill in the art can be used. See, e.g., Shi and Mellors, 1997, *Antimicrob Agents Chemother.* 41(12):2781-85; Gervaix *et al.*, 1997, *Proc Natl Acad Sci U. S. A.* 94(9):4653-8, incorporated herein by reference in their entirities.

In another embodiment, the susceptibility of a virus to treatment with an anti-viral treatment is determined by assaying the activity of the target of the anti-viral treatment in the presence of the anti-viral treatment. In one embodiment, the virus is HIV, the anti-viral treatment is a protease inhibitor, and the target of the anti-viral treatment is the HIV protease. See, e.g., U. S. Patent Nos. 5,436,131, 6,103,462, incorporated herein by reference in their entirities.

### 30        **5.6      Correlating Phenotypic and Genotypic Susceptibility**

Any method known in the art can be used to determine whether a mutation is correlated with a decrease in susceptibility of a virus to an anti-viral treatment and thus is a RAM according to the present invention. In one embodiment, P values are used to determine the statistical significance of the correlation, such that the smaller the P value, the more significant the measurement. Preferably the P values will be less than 0.05. More

preferably, P values will be less than 0.01. P values can be calculated by any means known to one of skill in the art. In one embodiment, P values are calculated using Fisher's Exact Test. See, e.g., David Freedman, Robert Pisani & Roger Purves, 1980, STATISTICS, W. W. Norton, New York.

- 5 In one embodiment, numbers of samples with the mutation being analyzed that have an IC<sub>50</sub> fold change below or above 10-fold are compared to numbers of samples without the mutation. A 2x2 table can be constructed and the P value can be calculated using Fisher's Exact Test (see Example 5). P values smaller than 0.05 or 0.01 can be classified as statistically significant.

10

#### 5.7 Determining Susceptibility to the Anti-Viral Treatment

- In another aspect, the present invention provides a method for determining a virus' susceptibility to anti-viral treatment. Resistance-associated mutations (RAMs) can be identified and correlated with reduced susceptibility of a virus to an anti-viral treatment as described in Sections 5.3-5.6 above. The presence of a RAM in a virus can be detected by any means known in the art, e.g., as discussed in Section 5.4.2 above. The presence of a RAM in the virus can indicate that the virus has an increased likelihood of having reduced susceptibility for the anti-viral treatment. In one embodiment, the virus is human immunodeficiency virus (HIV). In another embodiment, the virus is human immunodeficiency virus type-1 (HIV-1). In another embodiment, the anti-viral treatment is a protease inhibitor. Examples of protease inhibitors include, but are not limited to, saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir. In one embodiment, the protease inhibitor is selected from a group consisting of saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir. In another embodiment, the protease inhibitor is lopinavir.

In another embodiment, the invention provides a method for determining whether a HIV has an increased likelihood of having a reduced susceptibility to treatment with a protease inhibitor, comprising detecting in the protease of said HIV or in a nucleic acid of said HIV that encodes the protease, the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at amino acid position 20, 33, 34, 43, 46, 48, 50, 54, 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino acid sequence of said protease, wherein the presence of said mutation indicates that the HIV has an increased likelihood of having reduced susceptibility to treatment with the protease inhibitor compared to a HIV without said mutation, e.g., a wild type or reference HIV, with the proviso that said mutation is not K20M, K20R, M46I, M46L, I54L, I54T, I54V, L63P,

V82A, V82F, V82T or I84V. In one embodiment, the mutation is detected in the protease of said HIV. In another embodiment, the mutation is detected in a nucleic acid of said HIV that encodes the protease.

In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is at amino acid position 20, 33, 34, 46, 50, 54, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino acid sequence of said protease, with the proviso that said mutation is not K20M, K20R, L33F, L33M, K43T, M46I, M46L, I50V, I54A, I54L, I54M, I54S, I54T, I54V, L63P, G73A, G73S, G73T, T74S, V82A, V82F, V82I, V82S, V82T or I84V.

10 In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is at amino acid position 10, 11, 32, 47, 53, 71 or 95 of the amino acid sequence of said protease, with the proviso that said mutation is not V32I or I47V. In one embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: L10F, F53L

15 and A71L.

In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: K20I, M46V, I50L, I54A, I54M, I54S, L63T, V82S, I84A, I84L, L33F, L33I, L33V, E34D, E34K, E34Q, K43T, G48V, I50L, I50V, K55R, Q58E, G73C, G73T, T74A, T74P, T74S, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, M46V, I50L, L63T, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, I50V, I54M, G73C, T74A, T74P, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, M46V, I50L, L63T, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, G73C, T74A, T74P, L76V,

25 P79A, P79D, P79E, L89I and L89M.

In another aspect, the invention provides a method for determining whether a HIV has an increased likelihood of having a reduced susceptibility to treatment with a first protease inhibitor, comprising detecting in the protease of said HIV the presence or absence of a mutation associated with reduced susceptibility to treatment with a second protease inhibitor, wherein the presence of said mutation indicates that the HIV has an increased likelihood of having reduced susceptibility to treatment with said first protease inhibitor. In one embodiment, the first protease inhibitor is lopinavir. In another embodiment, the second protease inhibitor is amprenavir. In another embodiment, the mutations in the protease are at amino acid position 11, 32, 33, 34, 43, 46, 47, 48, 50, 54, 58, 71, 76, 79, 82,

84 or 95 of the amino acid sequence of said protease, with the proviso that said mutation is not V32I, M46I, M46L, I47V, I50V, I54L, I54M, V82A, or I84V.

In another embodiment, the invention provides a method of determining whether an individual infected with HIV has an increased likelihood of having a reduced susceptibility to treatment with a first protease inhibitor, comprising detecting, in a sample from said individual, the presence or absence of a mutation associated with reduced susceptibility to treatment with a second protease inhibitor at amino acid position 11, 32, 33, 34, 43, 46, 47, 48, 50, 54, 58, 71, 76, 79, 82, 84 or 95 of the amino acid sequence of the protease of the HIV, wherein the presence of said mutation indicates that the individual has an increased likelihood of having reduced susceptibility to treatment with said first protease inhibitor, with the proviso that said mutation is not V32I, M46I, M46L, I47V, I50V, I54L, I54M, V82A, or I84V.

In another aspect, the present invention provides a method for determining the susceptibility of an individual infected with a virus to anti-viral treatment. Resistance-associated mutations (RAMs) can be identified and correlated with reduced susceptibility of a virus to an anti-viral treatment as described in Sections 5.3-5.6 above. The presence of a RAM in a virus present in a sample from the individual can be detected by any means known in the art, e.g., as discussed in Section 5.4.2 above. The presence of a RAM in the virus can indicate that the individual has an increased likelihood of having reduced susceptibility for the anti-viral treatment. In one embodiment, the virus is HIV. In another embodiment, the virus is HIV-1. In another embodiment, the anti-viral treatment is a protease inhibitor. Examples of protease inhibitors include, but are not limited to, saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir. In one embodiment, the protease inhibitor is selected from a group consisting of saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir. In another embodiment, the protease inhibitor is lopinavir.

In another embodiment, the invention provides a method for determining whether an individual infected with HIV has an increased likelihood of having a reduced susceptibility to treatment with a protease inhibitor, comprising detecting, in a sample from said individual, the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at amino acid position 20, 33, 34, 43, 46, 48, 50, 54, 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino acid sequence of the protease of the HIV, wherein the presence of said mutation indicates that the individual has an increased likelihood of having reduced susceptibility to treatment with the protease inhibitor compared to an individual infected with a HIV without said mutation, e.g., a wild type or

reference HIV, with the proviso that said mutation is not K20M, K20R, M46I, M46L, I54L, I54T, I54V, L63P, V82A, V82F, V82T or I84V. In one embodiment, the mutation is detected in the protease of said HIV. In another embodiment, the mutation is detected in a nucleic acid of said HIV that encodes the protease.

5       In another embodiment, the invention provides a method for determining the effectiveness of protease inhibitor treatment of an individual infected with a HIV, comprising detecting, in a sample from said individual, the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at amino acid position 20, 33, 34, 46, 50, 54, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino  
10 acid sequence of the protease of the HIV, wherein the presence of said mutation indicates that the individual has a reduced susceptibility to treatment with said protease inhibitor, with the proviso that said mutation is not K20M, K20R, L33F, L33M, K43T, M46I, M46L, I50V, I54A, I54L, I54M, I54S, I54T, I54V, L63P, G73A, G73S, G73T, T74S, V82A, V82F, V82I, V82S, V82T or I84V.

15      In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is at amino acid position 10, 11, 32, 47, 53, 71 or 95 of the amino acid sequence of the protease of the HIV, with the proviso that said mutation is not V32I or I47V. In one embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: L10F,

20 F53L and A71L.

In another embodiment, the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: K20I, M46V, I50L, I54A, I54M, I54S, L63T, V82S, I84A, I84L, L33F, L33I, L33V, E34D, E34K, E34Q, K43T, G48V, I50L, I50V, K55R, Q58E, G73C, G73T, T74A, T74P, T74S, L76V, P79A,  
25 P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, M46V, I50L, L63T, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, I50V, I54M, G73C, T74A, T74P, L76V, P79A, P79D, P79E, L89I and L89M. In another embodiment, the mutation is selected from the group consisting of: K20I, M46V, I50L, L63T, I84A, I84L, L33I, L33V, E34D, E34K, E34Q, G73C, T74A, T74P, L76V,  
30 P79A, P79D, P79E, L89I and L89M.

### 5.8 Constructing an Algorithm

In one aspect, the present invention provides a method of constructing an algorithm that correlates genotypic data about a virus with phenotypic data about the virus. In one embodiment, the phenotypic data relate to the susceptibility of the virus to an anti-viral

treatment. In another embodiment, the anti-viral treatment is an anti-viral compound. In another embodiment, the anti-viral compound is a protease inhibitor. In another embodiment, the protease inhibitor is lopinavir.

- 5 In one embodiment, the method of constructing the algorithm comprises creating a rule or rules that correlate genotypic data about a set of viruses with phenotypic data about the set of viruses.

In one embodiment, a training data set comprising genotypic and phenotypic data about each virus in a set of viruses is assembled. Any method known in the art can be used to collect genotypic data about a virus. Examples of methods of collecting such data are 10 provided above. Any method known in the art can be used for collecting phenotypic data about a virus. Examples of such methods are provided above. In some embodiments, the training data set comprises one or more RAMs as described above. In one embodiment, each genotypic datum is the sequence of all or part of a viral protein of a virus in the set of viruses. In another embodiment, each genotypic datum in the training data set is a single 15 amino acid change in a protein encoded by the virus, relative to a reference protein in the reference virus. In other embodiments, the genotype comprises two, three, four, five, six or more amino acid changes in the viral protein. In another embodiment, the virus is HIV, and the protein is HIV protease. In one embodiment, the virus is HIV-1. In another embodiment, the reference protein is the protease from NL4-3 HIV.

- 20 In one embodiment, each phenotypic datum in the training data set is the susceptibility to an anti-viral treatment of a virus in the set of viruses. In one embodiment, the anti-viral treatment is an anti-viral compound. In another embodiment, the anti-viral compound is a protease inhibitor. In another embodiment, the protease inhibitor is lopinavir. In one embodiment, the susceptibility is measured as a change in the 25 susceptibility of the virus relative to a reference virus. In another embodiment, the susceptibility is measured as a change in the  $IC_{50}$  of the virus relative to a reference virus. In another embodiment, the change in  $IC_{50}$  is represented as the fold-change in  $IC_{50}$ . In one embodiment the virus is HIV. In another embodiment, the virus is HIV-1. In another embodiment, the reference HIV is NL4-3 HIV.

- 30 The genotypic and phenotypic data in the training data set can be represented or organized in any way known in the art. In one embodiment, the data are displayed in the form of a graph, for example, as shown in Figures 2 and 7. In this type of representation, the y-axis represents the fold change in  $IC_{50}$  of a virus in the data set relative to a reference virus. Each point on the graph corresponds to one virus in the data set. The x-axis 35 represents the number of mutations that a virus in the data set has. The position of the point

indicates both the number of mutations and the fold change in anti-viral therapy treatment that the virus has, both measured relative to a reference strain. In another embodiment, the genotypic and phenotypic data in the training data set are displayed in the form of a chart, for example, as shown in Figure 2.

5       In one aspect, an algorithm is formulated that correlates the genotypic data with the phenotypic data in the training data set. In one embodiment, a phenotypic cutoff point is defined. In another embodiment, the phenotype is susceptibility to an anti-viral treatment. In another embodiment, the phenotype is change in sensitivity to an anti-viral treatment relative to a reference virus, and the cutoff point is the value above which a virus or  
10 population of viruses is defined as phenotypically resistant ("PT-R") to the anti-viral therapy and below which a virus or population of viruses is defined as phenotypically sensitive ("PT-S") to the anti-viral therapy. In other embodiments, the cutoff point is 2-fold, 5-fold, 10-fold, 15-fold, 20-fold, 30-fold, 40-fold, 50-fold or 100-fold greater than the IC<sub>50</sub> of a reference virus. In another embodiment, the phenotypic cutoff point is the clinical  
15 cutoff value as defined above. In another embodiment, the virus is HIV and the anti-viral therapy is treatment with a protease inhibitor. In another embodiment, the protease inhibitor is lopinavir.

In another embodiment, the phenotypic cutoff point is used to define a genotypic cutoff point. In one embodiment this is done by correlating the number of mutations in a  
20 virus of the training data set with the phenotypic susceptibility of the virus. This can be done, for example, using a graph similar to the one in Figure 2, as discussed above. A genotypic cutoff point is selected such that most viruses having more than that number of mutations in the data set are phenotypically resistant ("PT-R"), and most viruses having fewer than that number of mutations are phenotypically sensitive ("PT-S"). By definition, a  
25 virus in the training data set with number of mutations equal to, or more than the genotypic cutoff is genotypically resistant ("GT-R") to the anti-viral treatment, and a virus in the training data set with fewer than the genotypic cutoff number of mutations is genotypically sensitive ("GT-S") to the anti-viral treatment. Thus, in one embodiment, a genotypic cutoff point is selected that produces the greatest percentage of viruses in the training data set that  
30 are either phenotypically resistant and genotypically resistant ("PT-R, GT-R"), or phenotypically sensitive and genotypically sensitive ("PT-S, GT-S").

While this simple algorithm can provide a useful approximation of the relationship between the genotypic and phenotypic data in the training data set, in most cases there will be a significant number of strains that are genotypically sensitive but phenotypically  
35 resistant ("GT-S, PT-R"), or genotypically resistant but phenotypically sensitive ("GT-R,

PT-S"), as shown in Figures 2 and 7. These discordant results are a measure of the inaccuracy of the algorithm. Thus, in some embodiments, the algorithm is further modified to reduce the percentage of discordant results in the training data set. In one embodiment, this is done by removing from the data set each data point that corresponds to a virus 5 population comprising a mixture of mutations including the wild-type, at a single position considered by the algorithm tested. As shown in Figure 3 and Example 3, this has the effect of reducing the number of PT-S, GT-R results, thus lowering the overall percentage of discordant results and so improves the fit of the algorithm to a training data set.

In another embodiment, the percentage of discordant results is reduced by assigning 10 differential weight values to one or more mutations observed in the training data set. An algorithm that does not include this step assumes that each mutation in the training data set contributes equally to the overall resistance of a virus or population of viruses to an anti-viral therapy. In many cases this will not be true. Figure 4 shows an example of a mutation in a training data set that is almost always correlated with phenotypic resistance to 15 an anti-viral treatment. That is, almost every virus that has the mutation is phenotypically resistant to the anti-viral treatment; even those strains having only one or two total mutations. In one embodiment, such mutations are "weighted," i.e., assigned an increased mutation score. A mutation can be assigned a weight of, for example, two, three, four, five, six, seven, eight or more. For example, a mutation assigned a weight of 2 will be counted 20 as two mutations in a virus. Fractional weighting values can also be assigned. In another embodiment, values of less than 1, and of less than zero, can be assigned, wherein a mutation is associated with an increased sensitivity of the virus to the anti-viral treatment.

One of skill in the art will appreciate that there is a tradeoff involved in assigning an increased weight to certain mutations. As the weight of the mutation is increased, the 25 number of GT-R, PT-S discordant results may increase. Thus, assigning a weight to a mutation that is too great may increase the overall discordance of the algorithm. Accordingly, in one embodiment, a weight is assigned to a mutation that balances the reduction in GT-S, PT-R results with the increase in GT-R, PT-S results.

In another embodiment, the interaction of different mutations in the training data set 30 with each other is also factored into the algorithm. For example, it might be found that two or more mutations behave synergistically, i.e., that the coincidence of the mutations in a virus contributes more significantly to the resistance of the virus than would be predicted based on the effect of each mutation independent of the other. Alternatively, it might be found that the coincidence of two or more mutations in a virus contributes less significantly 35 to the resistance of the virus than would be expected from the contributions made to

resistance by each mutation when it occurs independently. Also, two or more mutations may be found to occur more frequently together than as independent mutations. Thus, in one embodiment, mutations occurring together are weighted together. For example, only one of the mutations is assigned a weight of 1 or greater, and the other mutation or 5 mutations are assigned a weight of zero, in order to avoid an increase in the number of GT-R, PT-S discordant results.

In another aspect, the phenotypic cutoff point can be used to define a genotypic cutoff point by correlating the number as well as the class of mutations in a virus of the data set with the phenotypic susceptibility of the virus. Examples of classes of mutations 10 include, but are not limited to, primary amino acid mutations, secondary amino acid mutations, mutations in which the net charge on the polypeptide is conserved and mutations that do not alter the polarity, hydrophobicity or hydrophilicity of the amino acid at a particular position. Other classes of mutations that are within the scope of the invention would be evident to one of skill in the art, based on the teachings herein.

15 In one embodiment, an algorithm is constructed that factors in the requirement for one or more classes of mutations. In another embodiment, the algorithm factors in the requirement for a minimum number of one or more classes of mutations. In another embodiment, the algorithm factors in the requirement for a minimum number of primary or secondary mutations. In another embodiment, the requirement for a primary or a secondary 20 mutation in combination with other mutations is also factored into the algorithm. For example, it might be found that a virus with a particular combination of mutations is resistant to an anti-viral treatment, whereas a virus with any mutation in that combination, alone or with other mutations that are not part of the combination, is not resistant to the anti-viral treatment.

25 By using, for example, the methods discussed above, the algorithm can be designed to achieve any desired result. In one embodiment, the algorithm is designed to maximize the overall concordance (the sum of the percentages of the PT-R, GT-R and the PT-S, GT-S groups, or 100 - (percentage of the PT-S, GT-R + PT-R, GT-S groups). In some embodiments, the overall concordance is greater than 75%, 80%, 85%, 90% or 95%. In one 30 embodiment, the algorithm is designed to minimize the percentage of PT-R, GT-S results. In another embodiment, the algorithm is designed to minimize the percentage of PT-S, GT-R results. In another embodiment, the algorithm is designed to maximize the percentage of PT-S, GT-S results. In another embodiment, the algorithm is designed to maximize the percentage of PT-R, GT-R results.

At any point during the construction of the algorithm, or after it is constructed, it can be further tested on a second data set. In one embodiment, the second data set consists of viruses that are not included in the training data set, i.e., the second data set is a naive data set. In another embodiment, the second data set contains one or more viruses that were in the training data set and one or more viruses that were not in the training data set. Use of the algorithm on a second data set, particularly a naive data set, allows the predictive capability of the algorithm to be assessed. Thus, in one embodiment, the accuracy of an algorithm is assessed using a second data set, and the rules of the algorithm are modified as described above to improve its accuracy. In another embodiment, an iterative approach is used to create the algorithm, whereby an algorithm is tested and then modified repeatedly until a desired level of accuracy is achieved.

### 5.9 Using an Algorithm to Predict the Susceptibility of a Virus

In another aspect, the present invention also provides a method for using an algorithm of the invention to predict the phenotypic susceptibility of a virus or a derivative of a virus to an anti-viral treatment based on the genotype of the virus. In one embodiment, the method comprises detecting, in the virus or derivative of the virus, the presence or absence of one or more RAMs, applying the rules of the algorithm to the detected RAMs, wherein a virus that satisfies the rules of the algorithm is genotypically resistant to the anti-viral treatment, and a virus that does not satisfy the rules of the algorithm is genotypically sensitive to the anti-viral treatment. In another embodiment, the method comprises detecting, in the virus or derivative of the virus, the presence or absence of one or more RAMs, applying the rules of the algorithm to the detected RAMs, wherein a score equal to, or greater than the genotypic cutoff score indicates that the virus is genotypically resistant to the anti-viral treatment, and a score less than the genotypic cutoff score indicates that the virus is genotypically sensitive to the anti-viral treatment.

The algorithm of this invention can be used for any viral disease where anti-viral drug susceptibility is a concern, as discussed above in Section 5.4.1. In certain embodiments the assay of the invention can be used to determine the susceptibility of a retrovirus to an anti-viral drug. In one embodiment, the retrovirus is HIV. Preferably, the virus is HIV-1.

The anti-viral agent of the invention could be any treatment effective against a virus. It is useful to the practice of this invention, for example, to understand the structure, life cycle and genetic elements of the viruses which can be tested in the drug susceptibility test of this invention. These would be known to one of ordinary skill in the art and provide, for

example, key enzymes and other molecules at which the anti-viral agent can be targeted. Examples of anti-viral agents of the invention include, but are not limited to, nucleoside reverse transcriptase inhibitors such as AZT, ddI, ddC, d4T, 3TC, abacavir, nucleotide reverse transcriptase inhibitors such as tenofovir, non-nucleoside reverse transcriptase 5 inhibitors such as nevirapine, efavirenz, delavirdine, fusion inhibitors such as T-20 and T-1249 and protease inhibitors such as saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir.

In some embodiments of the invention, the anti-viral agents are directed at retroviruses. In certain embodiments, the anti-viral agents are protease inhibitors such as 10 saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir. In one embodiment, the anti-viral agent is lopinavir.

Some mutations associated with reduced susceptibility to treatment with an anti-viral agent are known in the art. See, e.g., Kempf *et al.*, 2001, *J. Virol.* 75:7462-69. Others can be determined by methods described in Sections 5.3 - 5.8 above. For example, Table 1 15 provides a list of mutations associated with reduced susceptibility to lopinavir.

#### **5.10 Using an Algorithm to Predict the Effectiveness of Anti-Viral Treatment for an Individual**

In another aspect, the present invention also provides a method for using an 20 algorithm of the invention to predict the effectiveness of an anti-viral treatment for an individual infected with a virus based on the genotype of the virus to the anti-viral treatment. In one embodiment, the method comprises detecting, in the virus or a derivative of the virus, the presence or absence of one or more RAMs, applying the rules of the algorithm to the detected RAMs, wherein a virus that satisfies the rules of the algorithm is 25 genotypically resistant to the anti-viral treatment, and a virus that does not satisfy the rules of the algorithm is genotypically sensitive to the anti-viral treatment. In another embodiment, the method comprises detecting, in the virus or a derivative of the virus, the presence or absence of one or more RAMs, applying the rules of the algorithm to the detected RAMs, wherein a score equal to, or greater than the genotypic cutoff score 30 indicates that the virus is genotypically resistant to the anti-viral treatment, and a score less than the genotypic cutoff score indicates that the virus is genotypically sensitive to the anti-viral treatment.

As described in Section 5.4.1 above, the algorithm of the invention can be used for any viral disease where anti-viral drug susceptibility is a concern and the anti-viral agent of 35 the invention could be any treatment effective against a virus. In certain embodiments the

assay of the invention is used to determine the susceptibility of a retrovirus to an anti-viral drug. In one embodiment, the retrovirus is HIV. Preferably, the virus is HIV-1. In some embodiments of the invention, the anti-viral agents are directed at retroviruses. In certain embodiments, the anti-viral agents are protease inhibitors such as saquinavir, ritonavir, 5 indinavir, nelfinavir, amprenavir and lopinavir. In one embodiment, the anti-viral agent is lopinavir.

As described in Section 5.9 above, mutations associated with reduced susceptibility to treatment with an anti-viral agent may be obtained from the art or determined by methods described above in Sections 5.4 - 5.8.

10 In some embodiments, the present invention provides a method for monitoring the effectiveness of an anti-viral treatment in an individual infected with a virus and undergoing or having undergone prior treatment with the same or different anti-viral treatment, comprising, detecting, in a sample of said individual, the presence or absence of an amino acid residue associated with reduced susceptibility to treatment the anti-viral treatment, 15 wherein the presence of the residue correlates with a reduced susceptibility to treatment with the anti-viral treatment.

#### **5.11 Correlating Susceptibility to one Anti-Viral Treatment with Susceptibility to Another Anti-Viral Treatment**

20 In another aspect, the present invention provides a method for using an algorithm of the invention to predict the effectiveness of an anti-viral treatment against a virus based on the genotypic susceptibility of the virus to a different anti-viral treatment. In one embodiment, the method comprises detecting, in a virus or a derivative of a virus, the presence or absence of one or more mutations correlated with resistance to an anti-viral 25 treatment and applying the rules of an algorithm of the invention to the detected mutations, wherein a virus that satisfies the rules of the algorithm is genotypically resistant to the anti-viral treatment, and a virus that does not satisfy the rules of the algorithm is genotypically sensitive to the anti-viral treatment. In another embodiment, the method comprises detecting, in the virus or a derivative of the virus, the presence or absence of one or more 30 mutations correlated with resistance to an anti-viral treatment and applying the rules of the algorithm to the detected mutations, wherein a score equal to, or greater than the genotypic cutoff score indicates that the virus is genotypically resistant to a different anti-viral treatment, and a score less than the genotypic cutoff score indicates that the virus is genotypically sensitive to a different anti-viral treatment. In another embodiment, the two 35 anti-viral treatments affect the same viral protein. In another embodiment, the two anti-viral

treatments are both protease inhibitors. Examples of protease inhibitors include, but are not limited to, saquinavir, ritonavir, indinavir, nelfinavir, amprenavir and lopinavir. In yet another embodiment, one of the two anti-viral treatments is lopinavir. In still another embodiment, a mutation correlated with resistance to one protease inhibitor is also 5 correlated with resistance to another protease inhibitor. Examples of such mutations are provided in Example 8 below.

## 6. EXAMPLES

The following examples are provided to illustrate certain aspects of the present 10 invention and not intended as limiting the subject matter thereof.

### 6.1 Example 1: Analysis of Patient Samples to Identify Resistance-Associated Mutations

This example demonstrates a method of analyzing patient samples so as to identify 15 mutations that are associated either with increased or with decreased susceptibility to protease inhibitors such as lopinavir.

In order to determine the relationship between an HIV-1 strain's protease sequence and its susceptibility to treatment with lopinavir, a training data set of 2038 patient plasma samples was analyzed genotypically as well as phenotypically. The phenotypic assay was 20 conducted using the PHENOSENSE™ (Virologic, South San Francisco, CA) HIV assay (Petropoulos *et al.*, 2000, *Antimicrob. Agents Chemother.* 44:920-928; U.S. Patent Nos. 5,837,464 and 6,242,187). Plasma samples were collected from HIV-1-infected patients. Repeat samples from the same patient were removed to prevent possible bias resulting from unique combinations of mutations. IC<sub>50</sub> values for lopinavir were obtained for the HIV-1 25 from the patient sample. This was compared to the IC<sub>50</sub> for lopinavir against the NL4-3 (GenBank Accession No. AF324493) reference viral strain. Phenotypic data were expressed as "fold change" (or log fold change) in 50% inhibitory concentration (IC<sub>50</sub>) of lopinavir. The fold IC<sub>50</sub> values were calculated by dividing the IC<sub>50</sub> of lopinavir against the HIV-1 from the patient plasma sample by the IC<sub>50</sub> for lopinavir against the NL4-3 (GenBank 30 Accession No. AF324493) reference viral strain.

In order to define the genotypic changes correlated with reduced susceptibility to lopinavir, the entire amino acid sequences of HIV-1 proteases in each of the patients' samples were analyzed. Mutations were compared to the protease sequence of the NL4-3 (GenBank Accession No. AF324493) reference strain. Eighty eight out of ninety nine 35 amino acid positions had at least one sample with a mutation (Tables 2 and 3). In the 2038

samples in the training data, there were 61 positions that were mutated in 1% or more of the samples (*i.e.*, more than 20 samples), leaving 38 positions with mutations in 20 or fewer samples (less than 1% of the samples). This data is listed in Tables 2 and 3. Table 1 provides a list of mutations associated with reduced susceptibility to lopinavir. The data in 5 Table 1 were obtained either with the entire training data set of 2038 samples or with a data set of 1418 samples (indicated with an \*), after the removal of samples without any primary mutations associated with protease inhibitors and without an IC<sub>50</sub> fold change ("FC") greater than two for any protease inhibitor (Example 5). The method used to calculate P values is described in Example 5.

10

#### 6.2 Example 2: Correlation of Lopinavir Susceptibility to Number of Mutations in HIV-1 Protease

This example demonstrates that a simple algorithm that correlates the number of equally-weighted mutations in the protease gene of an HIV-1 with its susceptibility to

15 lopinavir is inaccurate.

A data set of 2038 patient plasma samples was analyzed and mutations associated with reduced susceptibility to lopinavir were identified, as described in Example 1. The phenotypic susceptibility to lopinavir (lopinavir fold change) was analysed as a function of the number of mutations in the protease of the HIV-1 present in a patient's plasma sample.

20 The fold change for each sample was calculated by dividing the IC<sub>50</sub> of lopinavir against the HIV-1 from the patient's plasma sample by the IC<sub>50</sub> for lopinavir against the NL4-3 (GenBank Accession No. AF324493) reference viral strain. The genotype data was obtained by sequencing the protease of the HIV-1 present in each patient's sample and determining the sequence changes with respect to the sequence of the NL4-3 (GenBank 25 Accession No. AF324493) HIV. The amino sequence for the NL4-3 protease is provided in SEQ. ID. No. 1 (Figure 12A) and the nucleic acid sequence for the NL4-3 protease gene is provided in SEQ. ID. No. 2 (Figure 12B).

Figure 2 shows the resistance to lopinavir (Log lopinavir fold change) as a function of the number of the resistance-associated mutations. Samples with mixtures of amino acids were treated as mutants. The mutations used in this analysis were those identified in 30 the Kempf study (Kempf *et al.*, 2001, *J. Virol.* 75:7462-69). In order to clearly demonstrate the shortcomings of an algorithm proposed by Kempf, which attempted to predict the phenotypic susceptibility to lopinavir based on the number of mutations observed at 11 identified positions in HIV protease, the graph for this analysis was divided into four 35 quadrants. The Kempf study postulated that HIV was sensitive to treatment with lopinavir

if it had five or fewer mutations at these 11 positions, but, if the number of these mutations was six or more, then the virus was predicted to be resistant to lopinavir treatment. The bottom left quadrant corresponds to those viruses which contain 5 or fewer mutations in their protease and which are phenotypically and genotypically sensitive (PT-S, GT-S) to lopinavir. 1109, or 54% of the 2038 samples were found in this quadrant. The top right quadrant corresponds to those viruses which contain six or more mutations and are phenotypically and genotypically resistant (PT-R, GT-R) to lopinavir (Log lopinavir fold change  $\geq 1$ ) and contained 637 or 31% of the samples. However, the other two quadrants correspond to the "exceptions" where a virus was predicted based on genotype (number of mutations) to be susceptible, but was phenotypically (based on Log lopinavir fold change) resistant (left top, PT-R, GT-S) or where a virus was predicted based on genotype to be resistant, but was phenotypically (based on Log lopinavir fold change) susceptible (right bottom, PT-S, GT-R).

Figure 2 shows that 182 samples, corresponding to 9% of the starting set, with two to five mutations, contrary to expectations, are found in the top, left (PT-R, GT-S) quadrant and exhibit IC<sub>50</sub> values as much as 10- to 100-fold higher than the IC<sub>50</sub> for the reference strain (log fold change is 1-2). Conversely, some viruses that had six, seven, or eight mutations did not exhibit any greater resistance to lopinavir than did the WT strain, and so appear in the bottom, right (PT-S, GT-R) quadrant (110 samples (5%)).

It is thus evident from Figure 2 that a simple correlation of susceptibility to lopinavir with the number of mutations in the HIV-1 protease is far from accurate.

### 6.3 Example 3: Reducing the Size of the PT-S, GT-R Discordant Group

This example demonstrates that the PT-S, GT-R data seen in Figure 2 can be accounted for by the presence of samples containing mixtures of amino acids in at least one lopinavir resistance-associated position.

Using the simple algorithm of Example 2 produced approximately 9% results in the top, left ("PT-R, GT-S") quadrant and 5% results in the bottom, right ("PT-S, GT-R") quadrant (Figure 2). These discordant results could be attributed, at least in part, to patients' samples that contained a mixture of viral strains with proteases that had a mixture of amino acid residues at one or more positions associated with reduced susceptibility to lopinavir. When these samples (*i.e.* those samples that contained a mixture of both, a wild-type and a mutant) were excluded from the analysis, the PT-S, GT-R results decreased to 2% whereas the number of PT-R, GT-S results stayed about the same at 10% (Figure 3).

1402 samples were used in this modified analysis.

Without being bound by any particular theory, this can be explained by the following hypothesis. The study treated samples which contained mixtures of viral strains as mutants. This could, therefore, have resulted in treating a sample which contained 10% mutant virus (containing a resistance-associated mutation) and 90% unmutated or reference virus as a mutant. Because of the small population of mutant virus, the overall sample may not exhibit as much phenotypic resistance as would be expected if the sample contained 100% mutant. However, for genotypic purposes, the sample is treated as containing a mutation. Such samples could therefore lead to the observation of lower phenotypic resistance than expected for a sample with 100% mutant. This results in data that fall into the bottom, right quadrant where the population is genotypically resistant (GT-R), but phenotypically sensitive (PT-S).

Removal of samples containing mixtures of amino acids at one or more positions associated with reduced susceptibility to lopinavir clearly reduced the PT-S, GT-R results, thereby demonstrating the link between the two.

15

#### 6.4 Example 4: Analysis of the PT-R, GT-S Discordant Group

This example demonstrates that certain mutations make a greater contribution to lopinavir resistance than others.

The samples in the PT-R, GT-S quadrant of Figure 2 correspond to viruses with five or fewer mutations in the HIV protease associated with reduced susceptibility to lopinavir. These viruses were phenotypically resistant (had a fold change greater than 10) but were predicted to be genotypically sensitive (because they had five or fewer mutations). Without being bound by any particular theory, this can be explained by some mutations contributing more significantly to lopinavir resistance than other mutations. Some of these mutations may even confer as much resistance to lopinavir as four or five of the other lopinavir-associated mutations. When these, more significant mutations are present along with one, two, three or four other lopinavir-associated mutations, the total resistance conferred may be large enough to make the virus phenotypically resistant.

Mutations that were significantly associated with the PT-R, GT-S group were seen at positions 50, 54 and 82. Table 1 provides a list of mutations associated with reduced susceptibility to lopinavir. Figures 4, 5 and 6 demonstrate that when the more significant mutations (those at positions 50, 54 and 82) are present, the lopinavir fold change is high and the samples are mostly in the top half of the graph – that half associated with increased phenotypic resistance. A comparison of Figures 2 or 3 with Figures 4, 5 and 6 also

35

demonstrates that most of the samples in the PT-R, GT-S quadrant are those that contain the more significant mutations.

Thus, it is evident that the PT-R, GT-S group can be associated with the presence of mutations that confer disproportionately more resistance to lopinavir than others.

5

#### **6.5 Example 5: Alternate Analysis of Patient Samples to Identify Resistance-Associated Mutations**

This example demonstrates (1) an alternate method of analyzing patient samples so as to identify mutations that are associated either with increased or with decreased 10 susceptibility to protease inhibitors such as lopinavir; (2) that a simple algorithm that correlates the number of equally-weighted mutations in the protease gene of an HIV with its susceptibility to lopinavir is inaccurate (3) that the data seen in the PT-S, GT-R quadrant can be accounted for by the presence of samples containing mixtures of amino acids in at least one lopinavir resistance-associated position; and (4) that certain mutations make a 15 greater contribution to lopinavir resistance than others.

In order to determine the relationship between an HIV-1 strain's protease sequence and its susceptibility to treatment with lopinavir, a training data set of 2038 patient plasma samples was analyzed genotypically as well as phenotypically. From the starting point of 2038 samples, those samples that did not have any evidence of reduced protease inhibitor 20 susceptibility by both phenotype and genotype were then removed. The phenotypic criterion for this exclusion was all samples having LPV FC < 2 and the genotypic criterion was no mutations at any of the following (primary) positions: 30, 32, 46, 48, 50, 54, 82 (except V82I), 84, 88, or 90. This resulted in the elimination of 620 samples, leaving a data set of 1418 samples that were analyzed as in Example 1.

25 Similar to Figure 2, resistance to lopinavir (Log lopinavir fold change) was plotted as a function of the number of the resistance-associated mutations. Figure 7 shows a plot of the data obtained in this analysis (of 1418 samples). Figure 7, just like Figure 2, also contains data in all four quadrants. Of the 1418 samples analyzed, 45% (637 samples) were PT-R, GT-R, 34% (489 samples) were PT-S, GT-S, 13% (182 samples) were PT-R, GT-S 30 and 8% (110 samples) were PT-S, GT-R.

When, as in Example 3, the samples containing a mixture of viral strains with proteases that had a mixture of amino acid residues at one or more positions associated with reduced susceptibility to lopinavir were excluded from the analysis, the number of samples in the PT-S, GT-R quadrant decreased to 4% (31 samples). This analysis resulted in the 35 exclusion of 555 samples, leaving a total of 863 samples (Figure 8).

As in Example 4, mutations that were significantly associated with the PT-R, GT-S group were seen at positions 50, 54 and 82. Figures 9, 10 and 11 demonstrate that when the more significant mutations (those at positions 50, 54 and 82) are present, the lopinavir fold change is high and the samples are mostly in the top half of the graph – that half associated 5 with increased phenotypic resistance. A comparison of Figures 7 or 8 with Figures 9, 10 and 11 also demonstrates that most of the samples in the PT-R, GT-S quadrant are those that contain the more significant mutations.

P values for determining the statistical significance of the correlations were calculated as follows: for each mutation the number of samples in the data set (here, 10 genotypically sensitive samples from the N = 863 data set) that were below or above 10-fold for LPV were compared in samples with or without the mutation in question. A 2x2 table was constructed and the P value was calculated using Fisher's Exact test. An example is shown for G48V:

G48V	PT-S	PT-R	p-value
absent	275	97	2.87E-19
present	7	50	

#### 6.6 Example 6: First Refined Algorithm and Demonstration of its Improved Accuracy

20 This example demonstrates that an algorithm can be constructed that reduces the incidence of PT-R, GT-S results by differentially weighting the contribution of mutations that contribute more significantly to lopinavir resistance.

As described in Example 5, from a starting training data set of 2038 samples, those samples without any primary mutations associated with protease inhibitors and those 25 samples without an IC<sub>50</sub> fold change ("FC") greater than two for any protease inhibitor were eliminated, resulting in a data set of 1418 samples. Further exclusion of samples containing a mixture of viral strains with proteases that had a mixture of amino acid residues at one or more positions associated with reduced susceptibility to lopinavir, resulted in a final data set of 863 samples which were used to design an algorithm that can accurately predict the 30 susceptibility of HIV to lopinavir by reducing the incidence of PT-R, GT-S results.

The final rules were formulated based on the results observed only in the training data set (863 samples). The rules devised from the training data set were then tested on the training data set and a second set of samples ("validation set"). The validation data set contained 1022 samples and excluded any samples from patients included in the training 35 data set. As for the training data, samples with no evidence of reduced susceptibility to

protease inhibitors were removed, leaving 523 samples. The accuracy of the devised rules or algorithm was decided on the accuracy with which the susceptibility of the patients could be determined based solely on the algorithm. When discrepancies were seen, the algorithm was modified so that it remained consistent with the results seen in the training set.

5       The modified algorithm was then tested again on the validation set. The results seen in the second version were better than those of the initial version. This process was repeated many times and each version of the results was at least as good, if not better, than the version before it.

Tables 4, 5 and 6 provide a summary of the rules applied at each round or version  
10 and the results obtained in the training data set (Table 4) and two different validation sets.  
(Tables 5 and 6). The first column provides the round or version number. The next four  
columns provide, in order, the numbers expected, according to the algorithm, in the PT-S,  
GT-R, the PT-R, GT-R, the PT-S, GT-S, PT-R, GT-S groups. The next two columns  
provide the percentage of the PT-S, GT-R and PT-R, GT-S groups. The next column  
15 provides the overall concordance (the sum of the percentages of the PT-R, GT-R and the  
PT-S, GT-S groups, or 100 - (percentage of the PT-S, GT-R + PT-R, GT-S groups)).

The last column contains the rules used for that round of testing. Each set of rules is  
added to the rules preceding it. Some mutations were weighted higher than others (e.g.,  
most of the V82 and I54 mutations), some were removed altogether from the analysis (e.g.,  
20 I54L) and the weighting factors of some were altered in progressive versions of the  
algorithm. In version 6, the weighting factor for all V82 mutants was increased from 1 to 3.  
For version 7, however, the weighting factor for V82T was decreased back to 1, because it  
did not contribute to resistance to lopinavir as significantly as the other V82 mutants did.  
Figure 13 shows the effect of the various amino acid (wild-type and mutations) at position  
25 82. One can see that the effect of V82T on the lopinavir fold change is not as large as the  
other V82 mutants. A preliminary analysis of the I54 mutants resulted in the removal of  
I54L from the algorithm. However, a subsequent analysis showed that I54L makes a  
significant contribution to lopinavir resistance (Figure 14). Thus, in Table 7, I54L has been  
assigned a weighting factor of 1, although it is not included in the algorithm as presented in  
30 Table 4. Without being bound by any particular theory, I54L was removed from the  
algorithm because it is a relatively rare mutation and therefore does not occur frequently in  
the data set. Because it is rare, it may have little or no effect on the analysis of a large  
collection of samples, but, when present in a particular virus, or virus from a particular  
patient, it contributes significantly to lopinavir resistance.

As one goes from "start" to version 10, the overall concordance for all 3 sets of data increases and that the percentage of data in the PT-R, GT-S group decreases dramatically; nearly 7-fold in the training data set and about 6-fold in the validation data sets.

Table 7 provides a list of weights or weighting factors assigned to each mutation.

- 5 This table can be used to predict whether a particular HIV strain is likely to have reduced susceptibility to lopinavir. Each of the protease mutations listed in Table 7 that is detected in the strain is assigned a weighting factor according to Table 7. The weighting factors are then added to get a total score for the HIV. If the total score is 6 or more, then the HIV is likely to be resistant to treatment with lopinavir and if the total score is less than 6, then the  
10 HIV is likely to be sensitive to treatment lopinavir.

#### 6.7 Example 7: Second Refined Algorithm and Demonstration of its Improved Accuracy

This example demonstrates that an algorithm can be constructed that reduces the  
15 incidence of PT-R, GT-S and PT-S, GT-R results by adjusting the total score required in order for a particular HIV strain to be considered genotypically resistant or susceptible to treatment with lopinavir.

- A combined data set of 2195 samples, *i.e.*, a data set consisting of the "training data set" and the "validation data set," was analyzed. Samples were excluded that did not have a  
20 primary mutation associated with phenotypic resistance to protease inhibitors, were not correlated to an IC<sub>50</sub> fold change ("FC") greater than two for any protease inhibitor, or that contained a mixture of viral strains having proteases with different amino acid residues at a position associated with reduced susceptibility to lopinavir if the mixture included the amino acid found at that position in the NL4-3 HIV strain. A final data set of 1099 samples  
25 was used to alter the algorithm described in Example 6 so as to improve its overall concordance.

- The same weighting factors listed in Table 7 were used. In the changed algorithm, the cutoff value was changed from 6 to 8, *i.e.*, if the total score for a particular HIV was 8 or greater, then the HIV was genotypically resistant to treatment with lopinavir and if the total  
30 score was less than 8, then the HIV was genotypically sensitive to treatment with lopinavir. Using a cutoff value of 8, the overall concordance, 90.5%, was higher than that seen with a cutoff value of 6 (Table 8). Figure 15 provides a scatter plot using a cutoff value of 8. The reduction in PT-R, GT-S and PT-S, GT-R results compared to Figures 2 and 7 can be seen. An even higher overall concordance of 91.5% was observed when a cutoff value of 7 was  
35 used in the algorithm (Table 8). This is seen in Figure 16.

### 6.8 Example 8: Effect of Mutations Associated with Amprenavir Resistance on Lopinavir Resistance

- This example demonstrates that certain mutations correlated with an increase in
- 5 Amprenavir ("APV") resistance of HIV are also correlated with an increased resistance to lopinavir.

Figure 17 shows the effect of protease mutations associated in HIV with resistance to Amprenavir ("APV") on resistance to lopinavir. HIV-1 isolates with a decreased susceptibility to amprenavir have been selected *in vitro* and obtained from patients treated 10 with amprenavir. Genotypic analysis of these isolates showed that resistance to APV is associated with 8 mutations in the HIV-1 protease gene: 5 primary (V32I, I50V, I54L/M, and I84V) and 3 secondary (M46I/L and I47V). See Maguire *et al.*, 2002, *Antimicrob Agents Chemother* 46:731-738. Without exception, each of these mutations is correlated with reduced susceptibility to lopinavir (Table 1). V32I and I47V are also known to be 15 selected by LPV *in vitro*. Carrillo *et al.*, 1998, *J. Virol.* 72:7532-41. The effect of these mutations and combinations of these mutations with each other and I84V on LPV and APV susceptibility is summarized in Table 9. The median FC for APV was 9.5-fold or higher in each group, as might be expected. However the median LPV FC often paralleled, and was often greater than that of APV. This observation led to the investigation of the degree of 20 cross-resistance between these two protease inhibitors.

From a list of 26 mutations associated with APV FC  $\geq$  2.5 based on univariate analysis, 23 were also associated with LPV FC  $\geq$  2.5 (Table 10). Using regression analysis, the correlation between FC (log-transformed) for the two PIs was analyzed. Figure 18 shows a bivariate scatter plot of lopinavir fold change ("Log LPV FC") versus amprenavir 25 fold change ("Log APV FC"). The darker dots ("APV GT-R" in the legend) represent those samples that were genotypically resistant to amprenavir and the lighter dots ("APV GT-S" in the legend) represent those samples that were genotypically sensitive to amprenavir. Figure 18 shows that the correlation between amprenavir and lopinavir is higher for those samples that are genotypically resistant to amprenavir (correlation coefficient,  $R^2 = 0.52$ ) 30 than for those that are genotypically sensitive to amprenavir (correlation coefficient,  $R^2 = 0.39$ ) (all samples with FC < 2.5 for either protease inhibitor were excluded for this analysis). Seventy-six percent of all samples, and 82% of APV GT-R samples, that were PT-R to either protease inhibitor were resistant to both. While 95% of samples defined as GT-R for APV were also PT-R, 80% were also PT-R for LPV (Table 11).

Despite the correlation, the presence of APV mutations alone was not sufficient for LPV FC > 10, requiring accumulation of 8 or more mutations from those associated with reduced susceptibility to LPV listed in Table 1.

- 5        All references cited herein are incorporated by reference in their entireties.  
The examples provided herein, both actual and prophetic, are merely embodiments  
of the present invention and are not intended to limit the invention in any way.

10

15

20

25

30

35

**TABLE 1****Lopinavir Mutations**

	Mutation	FC<10	FC≥10	%R;%S	P value
5	L10F	16	25	9	<0.0001
	L10F*	15	25	3	0.0001
	L10I*	105	97	2	<0.0001
10	G16E*	8	23	6	<0.0001
	K20I	21	24	6	<0.0001
	K20I*	14	24	3	0.0001
	K20M	6	10	9	<0.0001
15	K20M*	4	10	5	0.0045
	K20R	17	13	4	0.0002
	L24I	7	10	8	<0.0001
	V32I	9	18	11	<0.0001
20	V32I*	9	18	4	0.0004
	L33IFV**	38	47	7	<0.0001
	L33F*	14	42	6	<0.0001
	E34DKQ**	4	18	25	<0.0001
25	E34Q*	2	12	12	0.0001
	K43T*	4	22	11	<0.0001
	M46I	49	57	6	<0.0001
	M46L	16	19	7	<0.0001
30	M46I*	49	57	2	<0.0001
	M46L*	16	19	2	0.009
	M46V*	Not Available	Not Available	Not Available	Not Available
	I47V*	5	22	8	<0.0001
	I47A	Not Available	Not Available	Not Available	Not Available
35	I47V	5	22	25	<0.001

	G48V	7	50	40	<0.0001
	G48V*	7	50	14	<0.0001
	I50V	1	22	123	<0.0001
5	I50V*	1	25	48	<0.0001
	I54A	0	22	-N/A-	<0.0001
	I54L	Not Available	Not Available	Not Available	Not Available
	I54M	6	21	20	<0.0001
10	I54S	0	14	-N/A-	<0.0001
	I54T	0	5	-N/A-	<0.0001
	I54V	7	47	37	<0.0001
	I54A*	0	22	-N/A-	<0.0001
15	I54M*	6	21	7	<0.0001
	I54S*	0	14	-N/A-	<0.0001
	I54T*	0	5	-N/A-	0.0045
	I54V*	7	47	13	<0.0001
20	K55R	13	12	5	<0.0001
	Q58E	19	26	8	<0.0001
	Q58E*	18	26	3	0.0003
	L63T*	4	11	5	0.002
25	I66FV**	14	12	5	0.0001
	A71I	5	7	8	0.0007
	G73C	2	6	17	0.0002
	G73T	10	13	7	<0.0001
	T74ASP**	27	37	8	<0.0001
30	T74S*	14	25	3	0.0001
	L76V	1	6	34	<0.0001
	L76V*	1	6	12	0.0076
	P79ADE**	3	6	11	0.0006
35	V82A	14	73	29	<0.0001

	V82F	2	6	17	0.0002
	V82A*	14	73	10	<0.0001
	V82S	0	7	-N/A-	<0.0001
5	V82S*	0	7	-N/A-	0.0005
	I84A*	Not Available	Not Available	Not Available	Not Available
	I84L*	Not Available	Not Available	Not Available	Not Available
	I84V	41	33	4	<0.0001
10	L89I*	0	5	-N/A-	0.0045
	L89M*	7	13	4	0.0004

Number of starting samples = 2038.

\* Number of starting samples = 1418 (after the removal of samples without any primary mutations associated with protease inhibitors and without an IC<sub>50</sub> fold change ("FC") greater than two for any protease inhibitor).

\*\* All variants treated equally.

-N/A-: Not Applicable (results in a division by zero).

FC: Fold Change in IC<sub>50</sub>.

20 %R: Percent of samples with mutation compared to all PT-R, GT-S samples.

%S: Percent of samples with mutation compared to all PT-S, GT-S samples.

**TABLE 2****Correlation of Number of Positions With Number of Samples With a Mutation**

5

	<b>Number of Positions</b>	<b>Number of Samples With Mutations</b>
10	11	0
	9	1
	3	2
	2	3
	2	4
15	3	5
	1	6
	3	7
	0	8
	0	9
20	34	<10
	65	>10
	61	>20
	46	>100
	4	10 to 20
25	15	20 to 100

30

35

**TABLE 3****Number of Samples Seen With Mutations at Each Position of HIV****Protease**

5

	<b>Position</b>	<b>Number of Samples</b>
10	P1	0
	P9	0
	D25	0
	G27	0
15	D29	0
	T31	0
	P44	0
	G78	0
20	G86	0
	L97	0
	N98	0
	Q2	1
25	T26	1
	A28	1
	G49	1
	G52	1
30	V56	1
	P81	1
	G94	1
	F99	1
35	I3	2
	L5	2
	G40	2

	<b>Position</b>	<b>Number of Samples</b>
	W6	3
	W42	3
5	R87	4
	T96	4
	R8	5
	G51	5
10	Y59	5
	T80	6
	Q7	7
	E21	7
15	G68	7
	V75	12
	G17	13
	L38	17
	L23	20
20	T4	24
	A22	24
	N83	25
	E65	33
25	P79	39
	T91	39
	K45	45
	L76	57
30	C95	59
	P39	61
	Q18	63
	D30	74
35	I50	80

	Position	Number of Samples
5	N88	89
	K70	96
	E34	101
	I66	103
	C67	110
	I47	112
10	V32	116
	V11	117
	Q92	121
	I85	131
	L24	134
	G16	136
15	Q61	144
	K55	153
	G48	156
	F53	159
	Q58	159
	L89	186
20	T74	202
	K43	208
	K14	210
	H69	213
	R57	237
	T12	244
25	D60	247
	L19	297
	L33	411
	G73	416
30		
35		

	Position	Number of Samples
5	I64	458
	I84	482
	I15	489
	I72	518
	R41	534
10	I13	556
	K20	631
	V77	708
	E35	735
	V82	741
15	M46	780
	I93	823
	N37	826
	I54	834
	M36	841
20	I62	897
	L90	946
	A71	1047
	L10	1242
25	I63	1858

**TABLE 4****Algorithm Construction and Application to the Training Data**

No.	Algorithm Construction and Application to the Training Data								Rules
	PT-S	PT-R	PT-S	PT-R	%PT-R	%PT-S	Concordance		
GT-R	GT-R	GT-S	GT-S	GT-S	GT-R				
Start	32	412	281	138	16.0%	3.7%	80.3%	All mutations weighted equally	
1	36	457	277	93	10.8%	4.2%	85.1%	Added M46V, I50V (weight=3), I54AMS, I84AL, V82S	
6	58	519	255	31	3.6%	6.7%	89.7%	Added L33F,I47V, G48MV, L63T, increased V82AFST weight to 3	
7	56	517	257	33	3.8%	6.5%	89.7%	V82T weight set back to 1	
8	57	522	256	28	3.2%	6.6%	90.2%	Add V32I, E34Q, K43T, L89IM, remove I54L	
10	65	530	248	20	2.3%	7.5%	90.2%	Add 58E, 74S, 76V, increase weight of 54 to 3x	

20

25

30

35

**TABLE 5**Application of Algorithm to Validation Data Set 1

5

No.	PT-S, GT-R	PT-R, GT-R	PT-S, GT-S	PT-R, GT-S	%PT-R, GT-S	%PT-S, GT-R	Overall Concordance
Start	37	130	302	54	10.3%	7.1%	82.6%
1	38	140	301	44	8.4%	7.3%	84.3%
10	66	175	273	9	1.7%	12.6%	85.7%

10

Number of samples in data set = 523.

15

**TABLE 6**Application of Algorithm to Validation Data Set 2

20

No.	PT-S, GT-R	PT-R, GT-R	PT-S, GT-S	PT-R, GT-S	%PT-R, GT-S	%PT-S, GT-R	Overall Concordance
Start	8	86	172	41	13.4%	2.6%	84.0%
1	8	94	172	33	10.7%	2.6%	86.6%
10	25	120	155	7	2.3%	8.1%	89.6%

25

Number of samples in data set = 307 (after the removal of samples containing mixtures of amino acids at any of the positions associated with reduced susceptibility to lopinavir from the starting data set of 523 samples of Table 7).

30

35

**TABLE 7****Weighting Factors**

5	Mutation	Weighting Factor	Mutation	Weighting Factor
10	L10F	1	I54M	3
	L10I	1	I54S	3
	G16E	1	I54T	3
	K20I	1	I54V	3
	K20M	1	K55R	1
	K20R	1	Q58E	1
	L24I	1	L63T	1
	V32I	1	A71I	1
	L33F	1	L76V	1
	E34Q	1	V82A	3
15	K43T	1	V82F	3
	M46I	1	V82S	3
	M46L	1	V82T	1
	M46V	1	I84A	1
	I47V	1	I84L	1
	G48V	1	I84V	1
20	I50V	3	L89I	1
	I54A	3	L89M	1
	I54L	1		
30				

**TABLE 8**

5

**Analysis of Combined Data Set**

10

Cutoff Value	PT-S, GT-R	PT-S, GT-S	PT-R, GT-R	PT-R, GT-S	Overall Concordance
6	93	404	589	13	90.4%
7	63	434	572	30	91.5%
8	50	447	548	54	90.5%

15

20

25

30

35

**TABLE 9****EFFECT OF APV MUTATIONS ON LPV AND APV SUSCEPTIBILITY**

5

	genotype group	n	Median LPV FC	Median APV FC
	wild-type (all primary positions)	623	0.6	0.6
10	not containing any tested mutation	1096	2.1	1.6
	32	26	12	9.5
	47	8	191	26
	50	42	54	20
15	54 <sup>a</sup>	9	160	22
	84	247	7.1	11
	32, 47	23	7.5	12
	32, 84	3	124	51
20	46 <sup>b</sup> , 54	16	138	84
	47, 54	3	88	42
	47, 84	4	28	12
	54, 84	22	93	67
	32, 47, 54	17	146	40
25	46, 54, 84	29	30	47
	47, 54, 84	3	20	24
	32, 46, 47, 54	4	208	130
	32, 47, 54, 84	5	227	130
30	32, 46, 47, 54, 84	6	200	130

<sup>a</sup>I54L or M only<sup>b</sup>M46I or L

**TABLE 10**  
**MUTATIONS ASSOCIATED WITH APV AND LPV FC > 2.5**

5

	APV	APV/LPV
	10F	10F
	11	11
	23	
10	32I	32I
	33F	33F
	34Q	34Q
	43T	43T
	47V	47V
15	48M	48M
	50V	50V
	53L	53L
	54A	54A
20	54L	54L
	54M	54M
	54S	54S
	54T	54T
	55	55
25	58E	58E
	66	
	71L	71L
	76V	76V
	79	79
30	82F	82F
	84V	84V
	92	
	95	95

mutations with %R:%S > 5 and P<0.01, for FC > 2.5

35

**TABLE 11****SUMMARY STATISTICS FOR LPV-APV CROSS-RESISTANCE**

5

	category	Percent of Samples	
		All <sup>a</sup>	APV GT-R
10	APV FC > 2.5 also LPV FC > 10	82	83
	LPV FC > 10 also APV FC > 2.5	91	99
	PT-R for either PI PT-R for both	76	82
	APV FC > 2.5	61	95
	LPV FC > 10	55	80

<sup>a</sup> samples with no protease inhibitor FC > 2 and no protease inhibitor primary mutations excluded; n=1099

20

25

30

35

What is claimed is:

1. A method for determining whether a HIV has an increased likelihood of having a reduced susceptibility to treatment with a protease inhibitor, comprising detecting in the protease of said HIV or in a nucleic acid of said HIV that encodes the protease, the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at amino acid position 20, 33, 34, 43, 46, 48, 50, 54, 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino acid sequence of said protease, wherein the presence of said mutation indicates that the HIV has an increased likelihood of having reduced susceptibility to treatment with the protease inhibitor, with the proviso that said mutation is not K20M, K20R, M46I, M46L, I54L, I54T, I54V, L63P, V82A, V82F, V82T or I84V.
2. A method for determining whether an individual infected with HIV has an increased likelihood of having a reduced susceptibility to treatment with a protease inhibitor, comprising detecting, in a sample from said individual, the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at amino acid position 20, 33, 34, 43, 46, 48, 50, 54, 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of the amino acid sequence of the protease of the HIV, wherein the presence of said mutation indicates that the individual has an increased likelihood of having reduced susceptibility to treatment with the protease inhibitor, with the proviso that said mutation is not K20M, K20R, M46I, M46L, I54L, I54T, I54V, L63P, V82A, V82F, V82T or I84V.
3. The method of claim 1 or 2, wherein the mutation is detected in the protease of said HIV.
4. The method of claim 1 or 2, wherein the mutation is detected in a nucleic acid of said HIV that encodes the protease.
5. The method of claim 1 or 2, wherein the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: K20I, M46V, I50L, I54A, I54M, I54S, L63T, V82S,

I84A, I84L, L33F, L33I, L33V, E34D, E34K, E34Q, K43T, G48V, I50V, K55R, Q58E, G73C, G73T, T74A, T74P, T74S, L76V, P79A, P79D, P79E, L89I and L89M.

- 5        6. An isolated oligonucleotide between about 10 and about 100 nucleotides long encoding a protease in a HIV that comprises a mutation at amino acid position 20, 33, 34, 43, 46, 48, 50, 54, 55, 58, 63, 66, 73, 74, 76, 79, 82, 84 or 89 of an amino acid sequence of said protease in said human immunodeficiency virus, wherein the mutation is associated with reduced susceptibility to a protease inhibitor, with the proviso that said mutation is not K20M, K20R, M46I, M46L, I54L, I54T, I54V, L63P, V82A, V82F, V82T or I84V.
- 10       7. The isolated oligonucleotide of claim 6, wherein the oligonucleotide is between about 10 and about 90 nucleotides long.
- 15       8. The isolated oligonucleotide of claim 6, wherein the oligonucleotide is between about 10 and about 80 nucleotides long.
- 20       9. The isolated oligonucleotide of claim 6, wherein the oligonucleotide is between about 10 and about 70 nucleotides long.
- 25       10. The isolated oligonucleotide of claim 6, wherein the oligonucleotide is between about 10 and about 60 nucleotides long.
11. The isolated oligonucleotide of claim 6, wherein the oligonucleotide is between about 10 and about 50 nucleotides long.
- 30       12. The isolated oligonucleotide of claim 6, wherein the oligonucleotide is between about 10 and about 40 nucleotides long.
13. A method for determining whether a human immunodeficiency virus (HIV) has an increased likelihood of having reduced susceptibility to treatment with a protease inhibitor, comprising:
- 35       (a) detecting, in said HIV, the presence or absence of one or more of the HIV protease mutations listed in Table 7;

(b) assigning a weighting factor to each mutation as provided in Table 7; and

(c) adding said weighting factors to get a total score for said HIV, wherein said HIV has an increased likelihood of being resistant to treatment with said protease inhibitor if said total score is equal to or greater than 6.

5

14. The method of claim 13, wherein said HIV has an increased likelihood of being resistant to treatment with said protease inhibitor if said total score is equal to or greater than 7.

10

15. The method of claim 13, wherein said HIV has an increased likelihood of being resistant to treatment with said protease inhibitor if said total score is equal to or greater than 8.

15

16. The method of claim 13, wherein the mutation is detected in the protease of said HIV.

20

17. The method of claim 13, wherein the mutation is detected in a nucleic acid of said HIV that encodes the protease.

25

18. A method for determining whether an individual infected with a human immunodeficiency virus (HIV) has an increased likelihood of having reduced susceptibility to treatment with a protease inhibitor, comprising:

(a) detecting, in a sample from said individual, the presence or absence of one or more of the HIV protease mutations listed in Table 7;

(b) assigning a weighting factor to each mutation as provided in Table 7; and

30

(c) adding said weighting factors to get a total score for said individual wherein said individual has an increased likelihood of being resistant to treatment with said protease inhibitor if said total score is equal to or greater than 6.

35

19. The method of claim 18, wherein said individual has an increased likelihood of being resistant to treatment with said protease inhibitor if said total score is equal to or greater than 7.

20. The method of claim 18, wherein said individual has an increased likelihood of being resistant to treatment with said protease inhibitor if said total score is equal to or greater than 8.
- 5      21. The method of claim 18, wherein the mutation is detected in the protease of said HIV.
22. The method of claim 18, wherein the mutation is detected in a nucleic acid of said HIV that encodes the protease.
- 10     23. The method of claim 1, 2, 13 or 18, wherein said human immunodeficiency virus is human immunodeficiency virus type 1 (HIV-1).
- 15     24. The method of claim 1, 2, 13 or 18, wherein said protease inhibitor is lopinavir.
25. The method of claim 4, 17 or 22, wherein said presence or absence of said mutation in said protease is detected by hybridization with a sequence-specific oligonucleotide probe to a nucleic acid sequence of said human immunodeficiency virus encoding said mutation, wherein the occurrence of hybridization indicates said presence or absence of said mutation.
- 20     26. The method of claim 25 wherein said sequence-specific oligonucleotide probe hybridizes to a nucleic acid encoding said mutation and the presence of hybridization indicates the presence of said mutation.
- 25     27. The method of claim 4, 17 or 22, wherein said presence or absence of said mutation in said protease is detected by nucleic acid sequencing.
- 30     28. The method of claim 2 or 18, wherein the individual is undergoing or has undergone prior treatment with said or different protease inhibitor.
29. The method of claim 1, 2, 13 or 18, wherein the protease has a sequence that is at least 90% identical to SEQ ID NO: 1.

30. The method of claim 1, 2, 13 or 18, wherein the protease has a sequence that is at least 80% identical to SEQ ID NO: 1.
31. The method of claim 1, 2, 13 or 18, wherein the method comprises detecting the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease at 2 or more of the amino acid positions.
32. A method for determining whether a HIV has an increased likelihood of having a reduced susceptibility to treatment with a first protease inhibitor, comprising detecting in the protease of said HIV the presence or absence of a mutation associated with reduced susceptibility to treatment with a second protease inhibitor at amino acid position 10, 11, 32, 33, 34, 43, 46, 47, 48, 50, 54, 58, 71, 76, 79, 82, 84 or 95 of the amino acid sequence of said protease, wherein the presence of said mutation indicates that the HIV has an increased likelihood of having reduced susceptibility to treatment with said first protease inhibitor, with the proviso that said mutation is not V32I, M46I, M46L, I47V, I50V, I54L, I54M, V82A, or I84V.
33. A method of determining whether an individual infected with HIV has an increased likelihood of having a reduced susceptibility to treatment with a first protease inhibitor, comprising detecting, in a sample from said individual, the presence or absence of a mutation associated with reduced susceptibility to treatment with a second protease inhibitor at amino acid position 10, 11, 32, 33, 34, 43, 46, 47, 48, 50, 54, 58, 71, 76, 79, 82, 84 or 95 of the amino acid sequence of the protease of the HIV, wherein the presence of said mutation indicates that the individual has an increased likelihood of having reduced susceptibility to treatment with said first protease inhibitor, with the proviso that said mutation is not V32I, M46I, M46L, I47V, I50V, I54L, I54M, V82A, or I84V.
34. The method of claim 32 or 33, wherein the first protease inhibitor is lopinavir or amprenavir.
35. The method of claim 32 or 33, wherein the second protease inhibitor is lopinavir or amprenavir.

36. A method for determining whether a HIV has an increased likelihood of having a reduced susceptibility to treatment with a protease inhibitor, comprising detecting in the protease of said HIV or in a nucleic acid of said HIV that encodes the protease, the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at amino acid position 10, 11, 32, 47, 53, 71 or 95 of the amino acid sequence of said protease, wherein the presence of said mutation indicates that the HIV has an increased likelihood of having reduced susceptibility to treatment with the protease inhibitor, with the proviso that said mutation is not V32I or I47V.
- 5
- 10
37. A method for determining whether an individual infected with HIV has an increased likelihood of having a reduced susceptibility to treatment with a protease inhibitor, comprising detecting, in a sample from said individual, the presence or absence of a mutation associated with reduced susceptibility to treatment with said protease inhibitor at amino acid position 10, 11, 32, 47, 53, 71 or 95 of the amino acid sequence of the protease of the HIV, wherein the presence of said mutation indicates that the individual has an increased likelihood of having reduced susceptibility to treatment with the protease inhibitor, with the proviso that said mutation is not V32I or I47V.
- 15
- 20
- 25
38. The method of claim 37 or 38, wherein the mutation associated with reduced susceptibility to treatment with said protease inhibitor is selected from the group consisting of: L10F, F53L, and A71L.

30

35

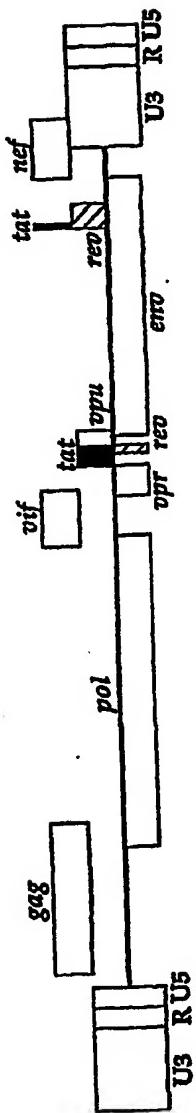


FIG. 1

# LPV Phenotype vs. Mutation Score

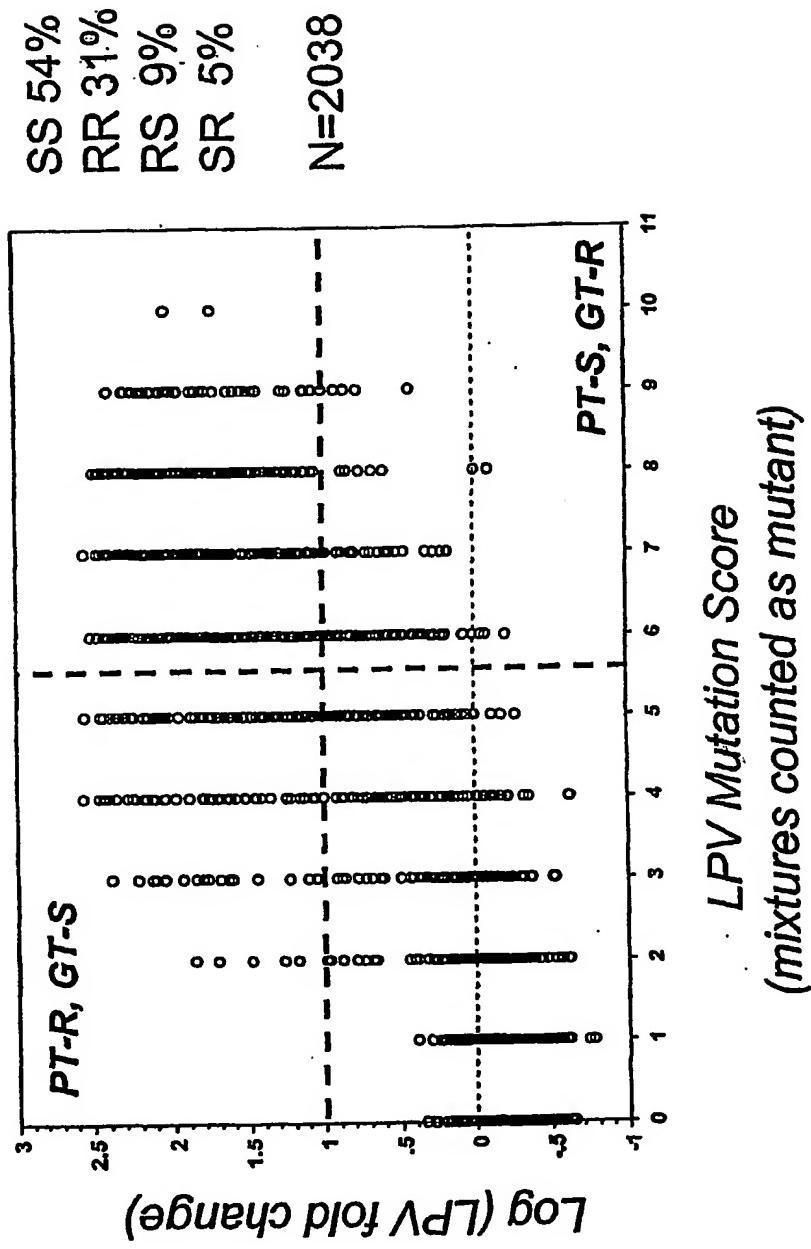


FIG. 2

# LPV Phenotype vs. Mutation Score

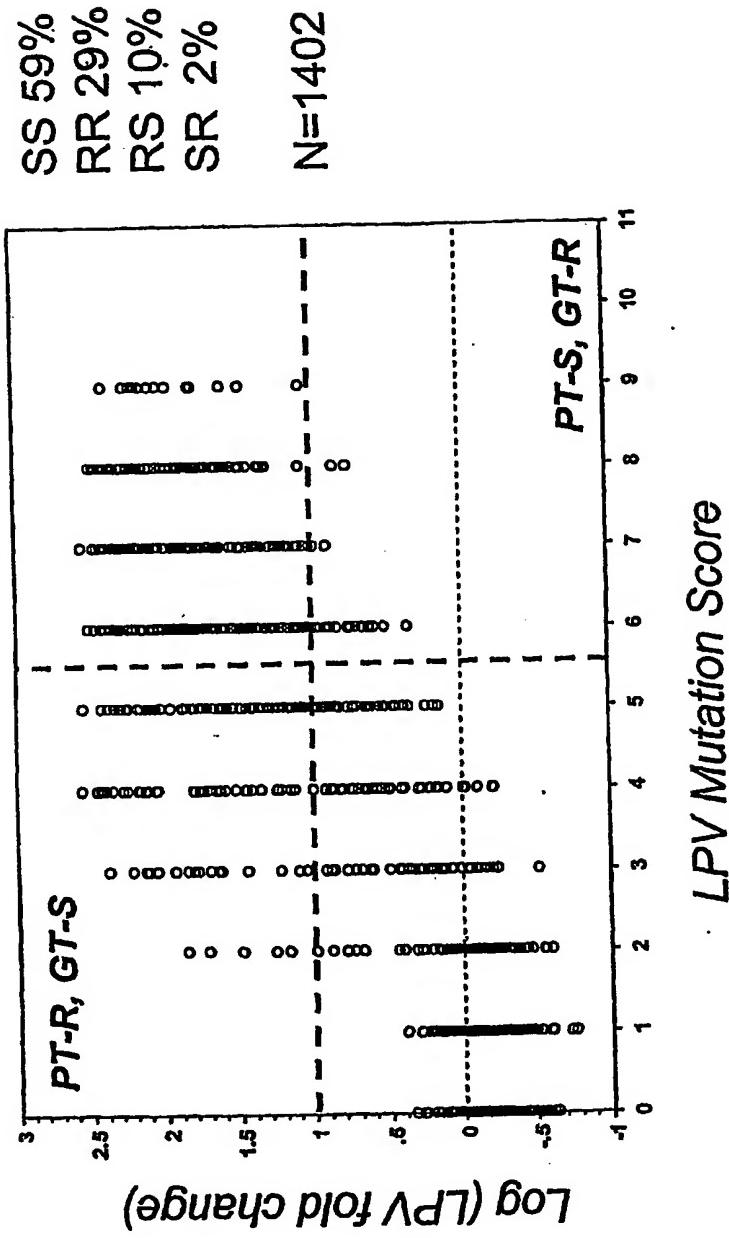
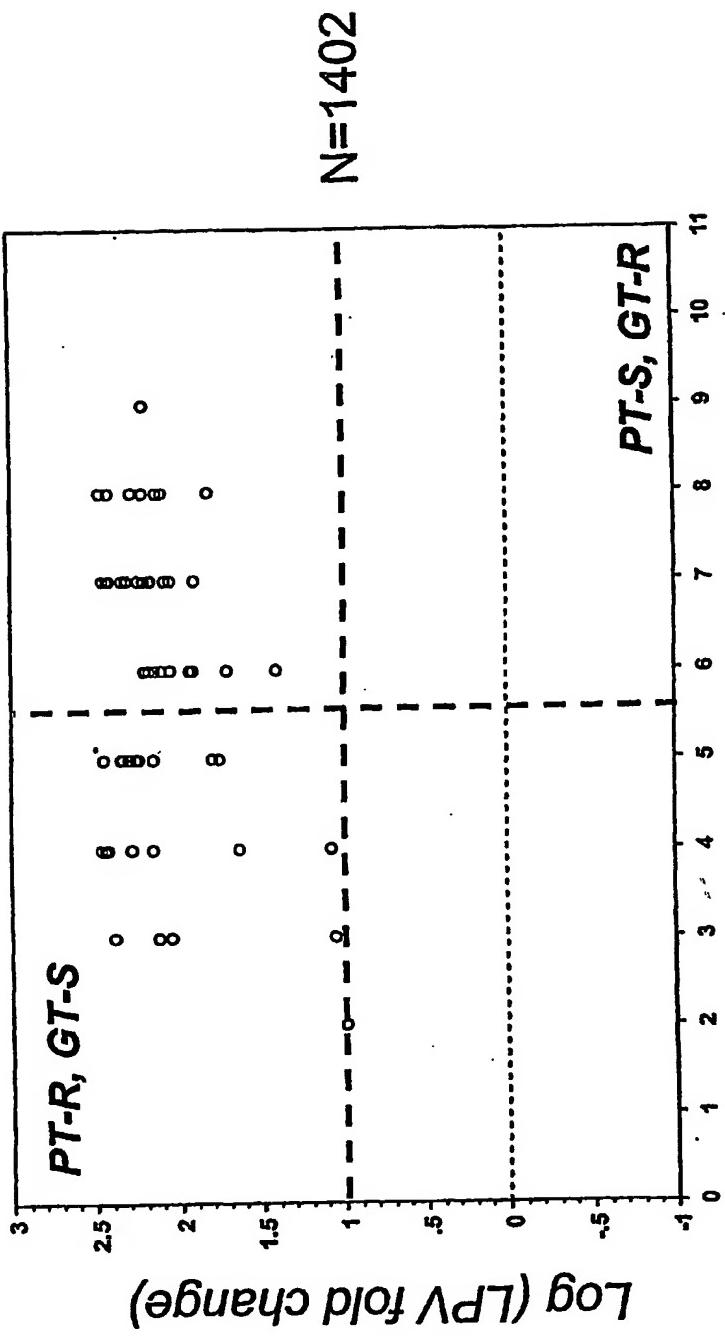


FIG. 3

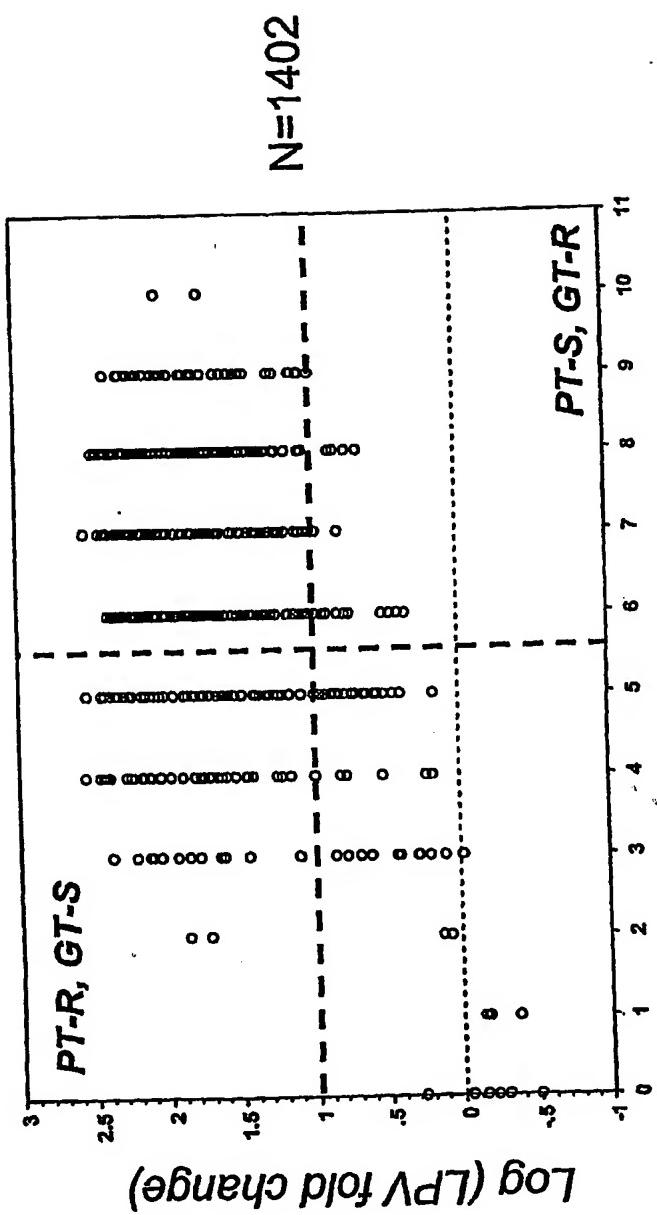
LPV Phenotype vs. Mutation Score:  
I50V



LPV Mutation Score

FIG. 4

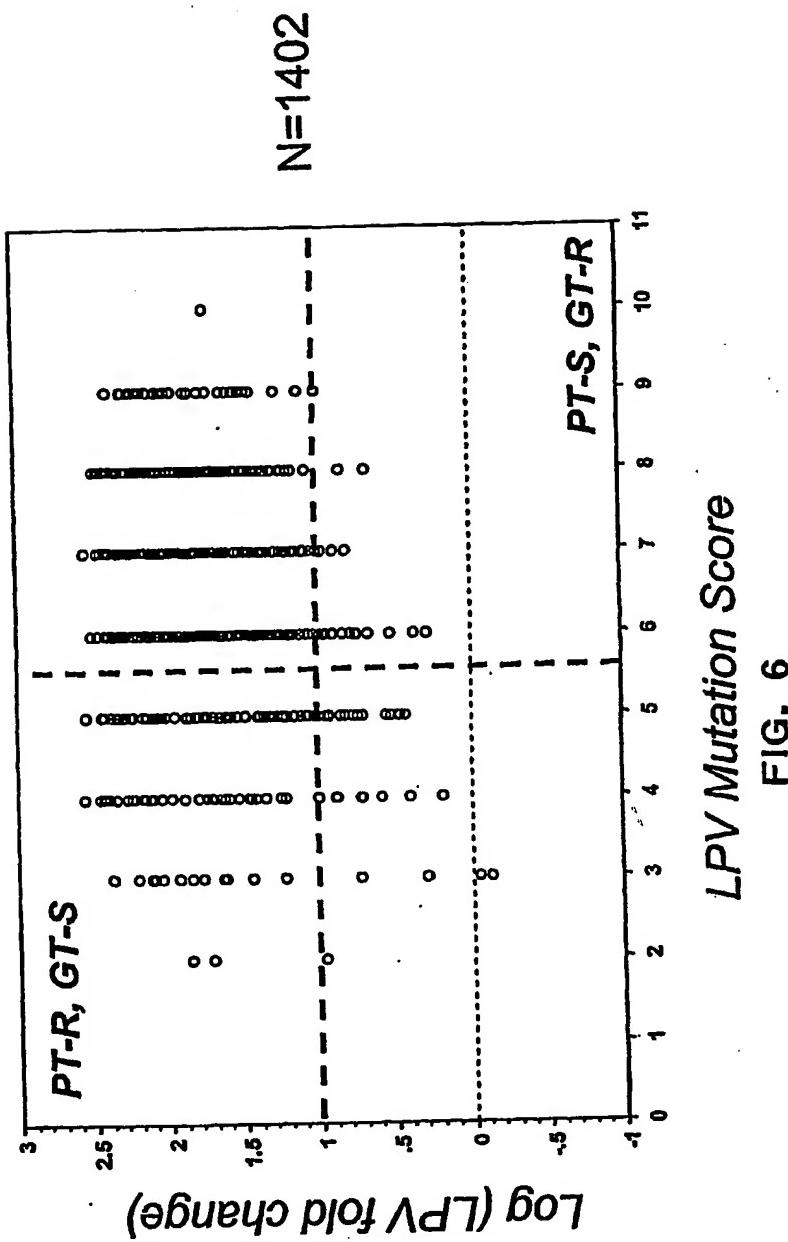
LPV Phenotype vs. Mutation Score  
V82A, F, S, T, or I



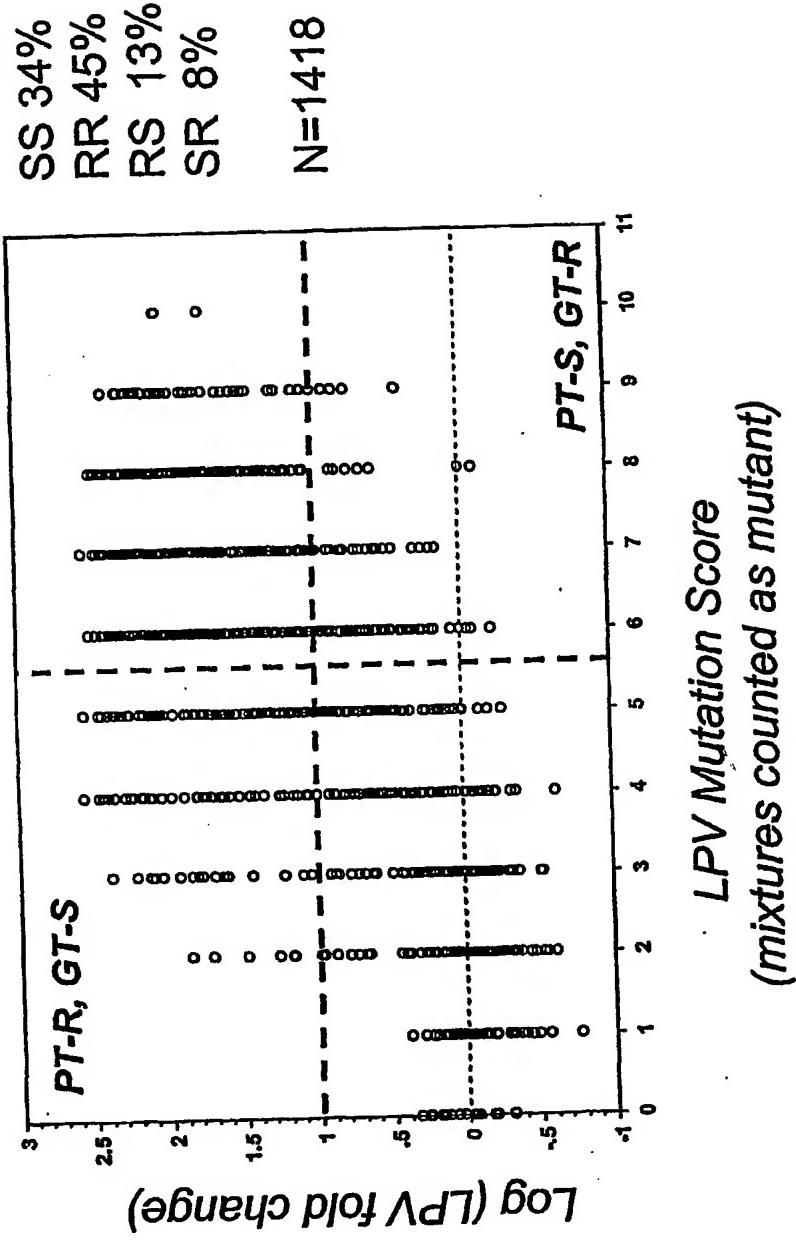
LPV Mutation Score

FIG. 5

LPV Phenotype vs. Mutation Score  
I54A, L, M, S, T, V



# LPV Phenotype vs. Mutation Score



LPV Mutation Score  
(mixtures counted as mutant)

FIG. 7

# LPV Phenotype vs. Mutation Score

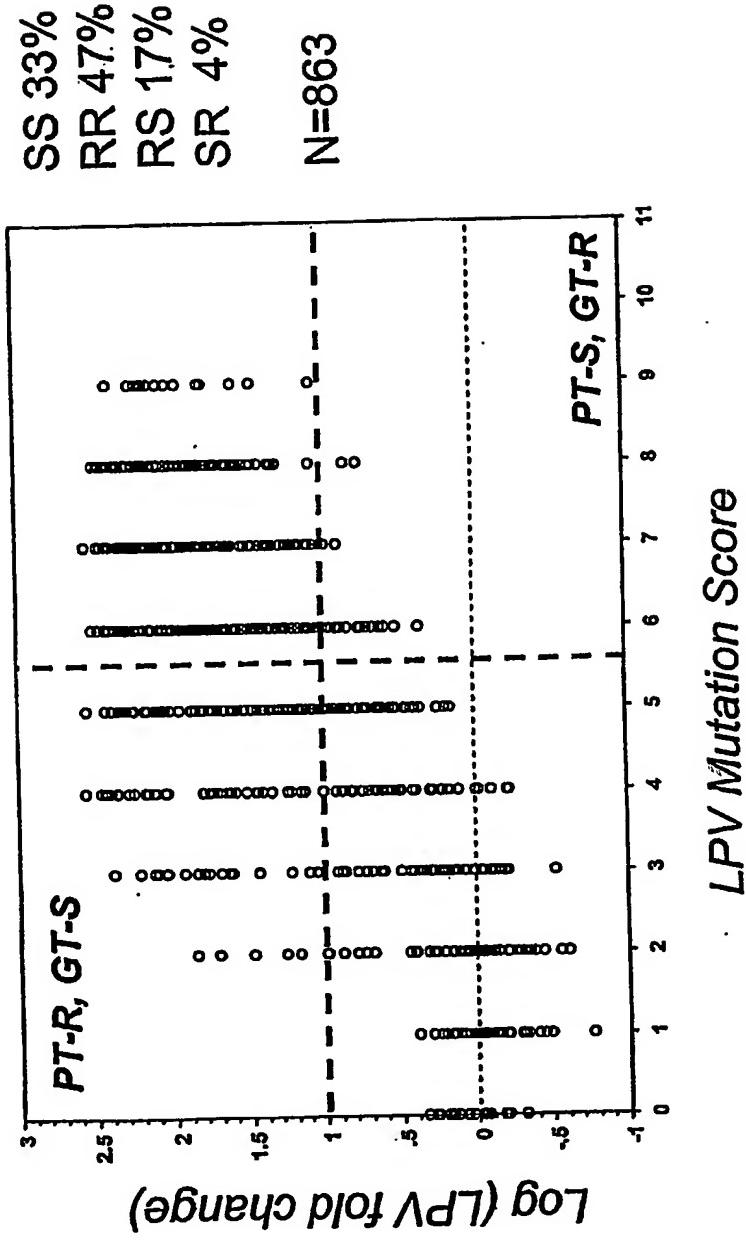
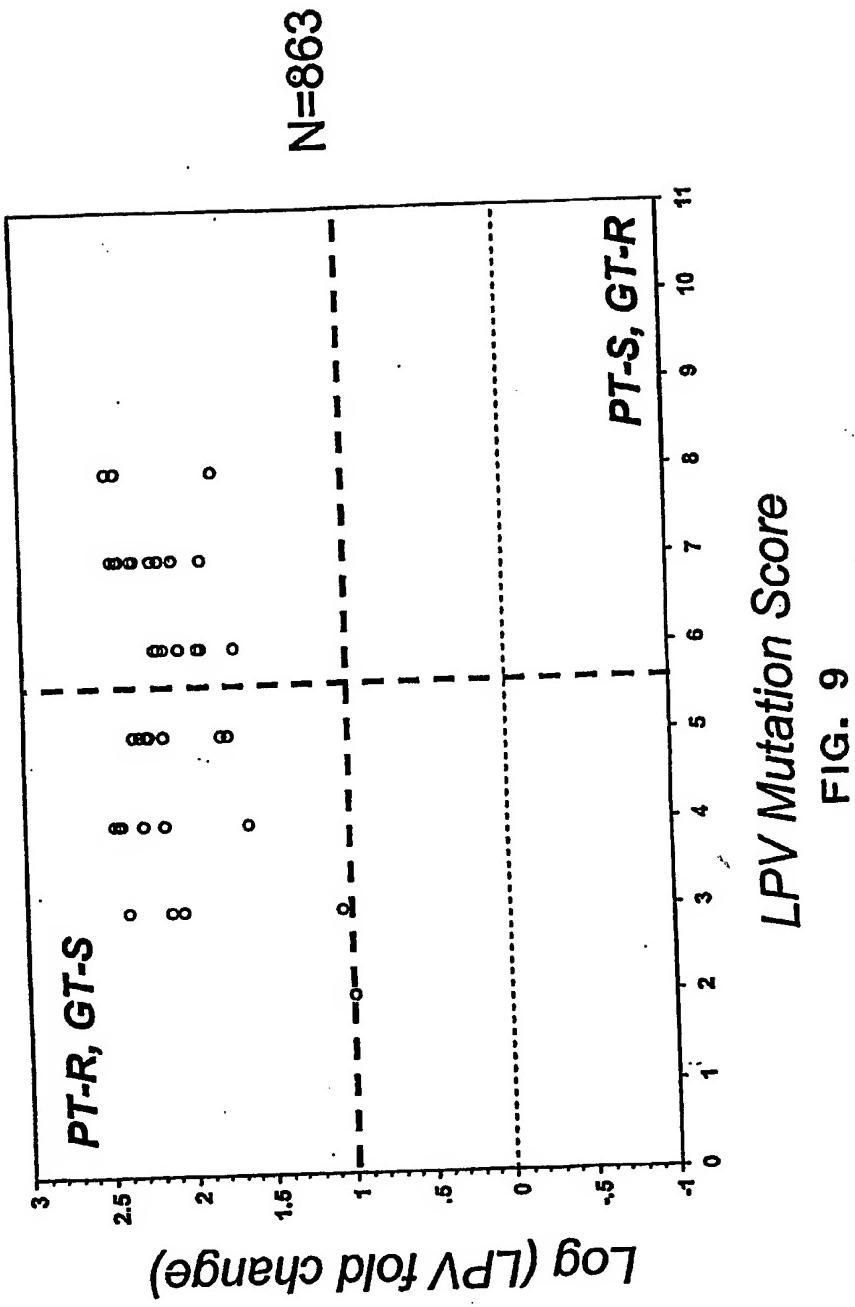


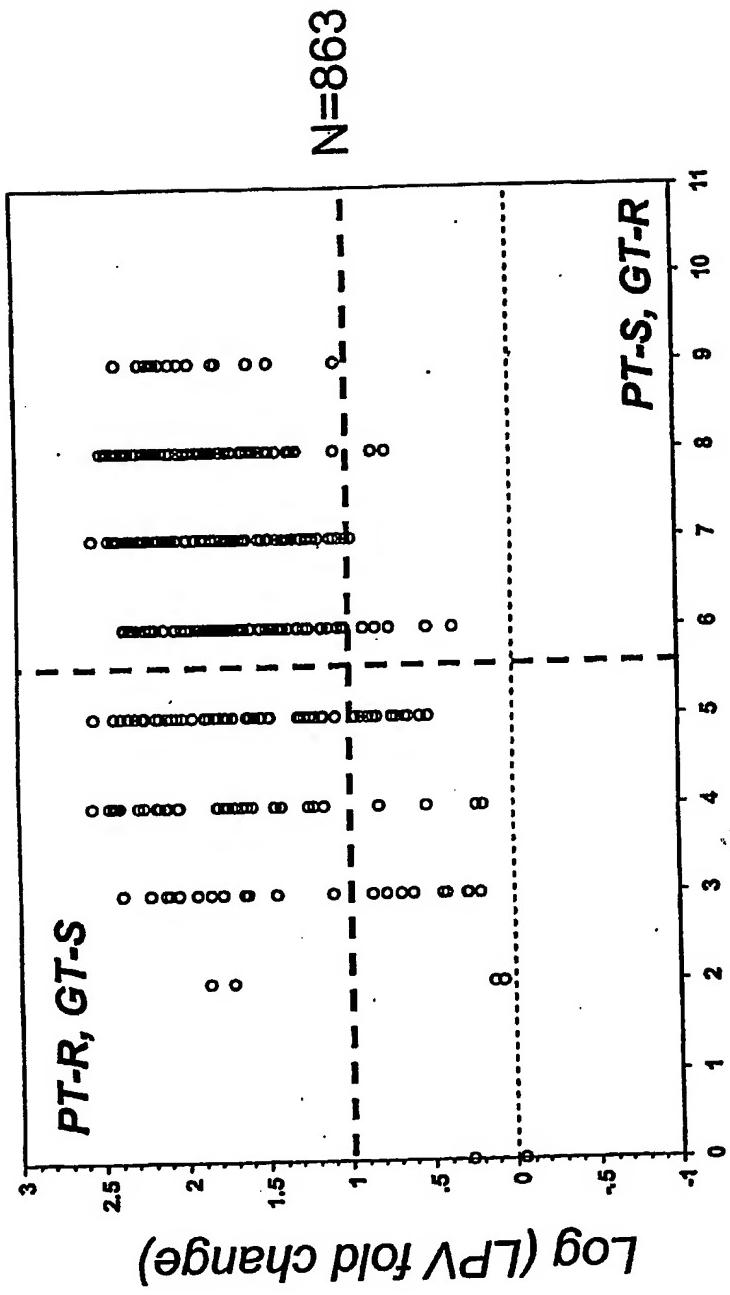
FIG. 8

LPV Phenotype vs. Mutation Score:  
I50V



LPV Mutation Score  
FIG. 9

LPV Phenotype vs. Mutation Score  
V82A, F, S, T, or I



LPV Mutation Score  
FIG. 10

LPV Phenotype vs. Mutation Score  
I54A, L, M, S, T, V

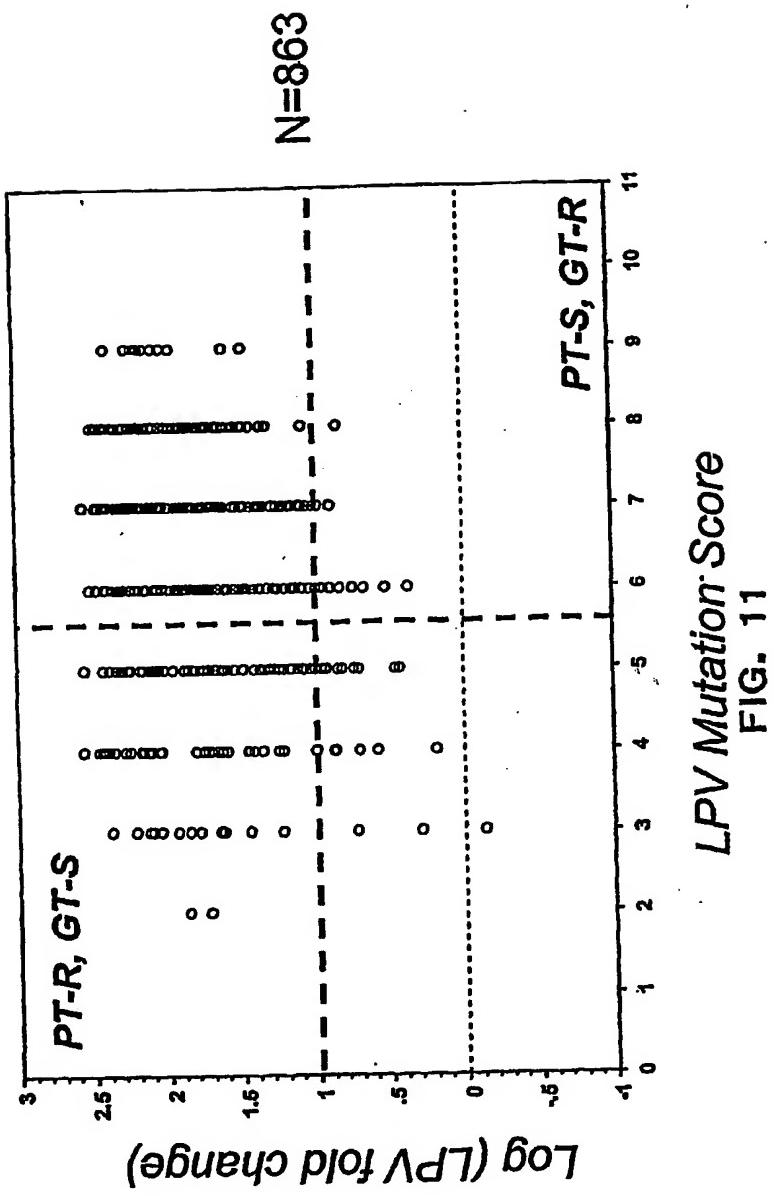


FIG. 11

**FIG. 12**

SEQ. ID. NO: 1: NL4-3 HIV Protease Amino Acid Sequence

PQITLWQRPL VTIKIGGQLK EALLDTGADD TVLEEMNLPG RWKPBMIGGI  
GGFIKVRQYD QILIEICGHK AIGTVLVGPT PVNIIGRNLL TQIGCTLNF

SEQ. ID. NO: 2: NL4-3 HIV Protease Gene Nucleotide Sequence

1-10 CCT CAG ATC ACT CTT TGG CAG CGA CCC CTC  
11-20 GTC ACA ATA AAG ATA GGG GGG CAA TTA AAG  
21-30 GAA GCT CTA TTA GAT ACA GGA GCA GAT GAT  
31-40 ACA GTA TTA GAA GAA ATG AAT TTG CCA GGA  
41-50 AGA TGG AAA CCA AAA ATG ATA GGG GGA ATT  
51-60 GGA GGT TTT ATC AAA GTA AGA CAG TAT GAT  
61-70 CAG ATA CTC ATA GAA ATC TGC GGA CAT AAA  
71-80 GCT ATA GGT ACA GTA TTA GTA GGA CCT ACA  
81-90 CCT GTC AAC ATA ATT GGA AGA AAT CTG TTG  
91-99 ACT CAG ATT GGC TGC ACT TTA AAT TTT

## Effect of Amino Acid at Position 82

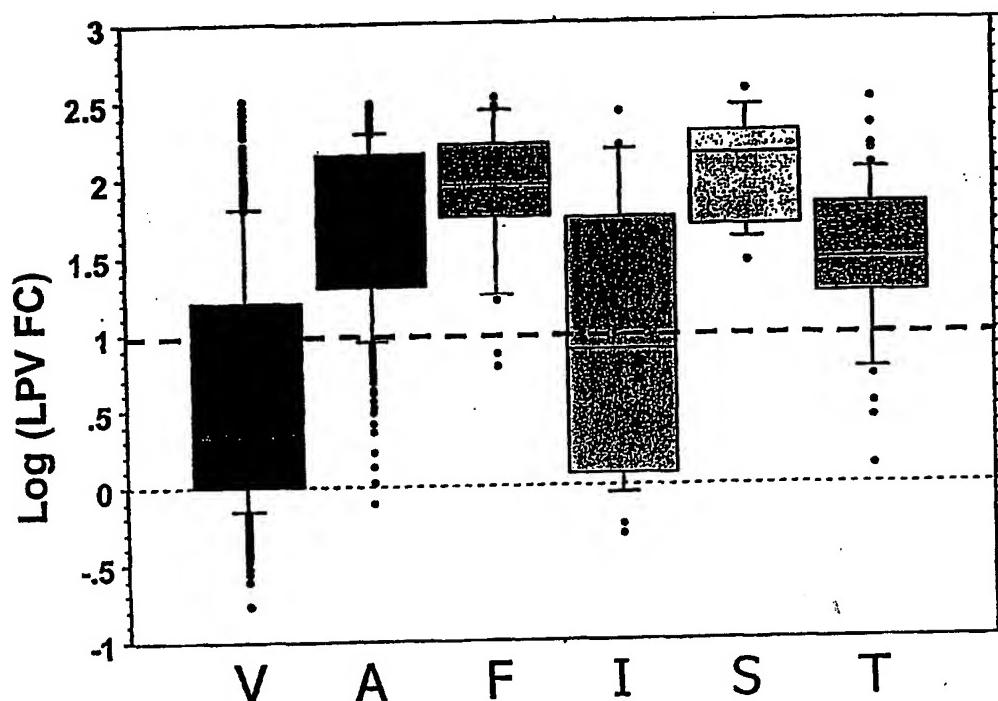


FIGURE 13

### Effect of Amino Acid at Position 54

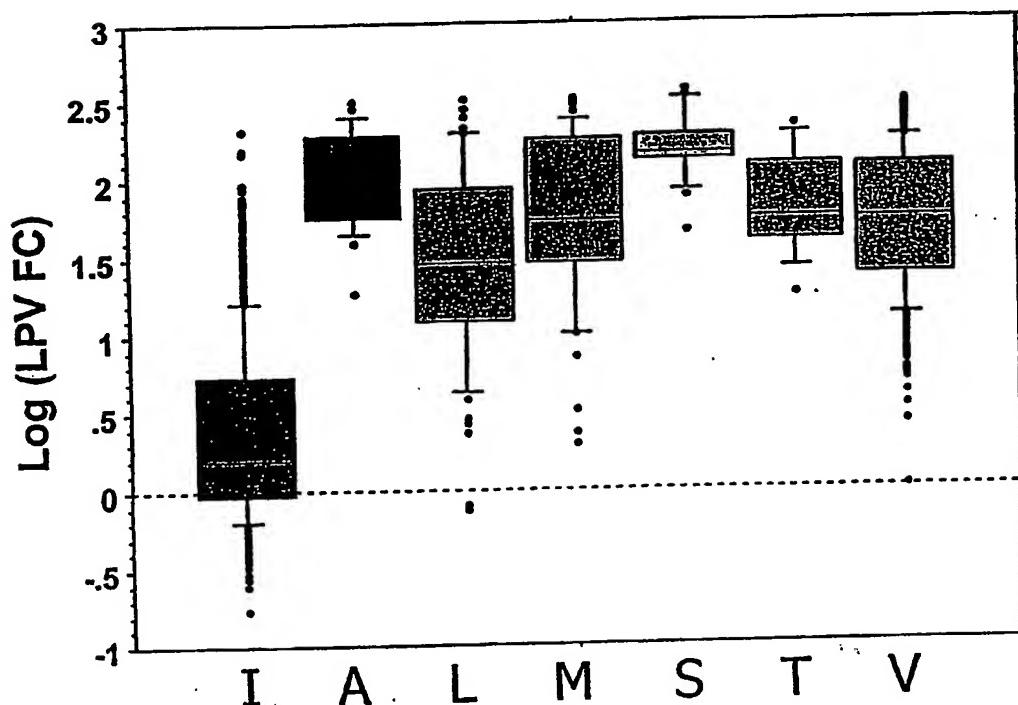
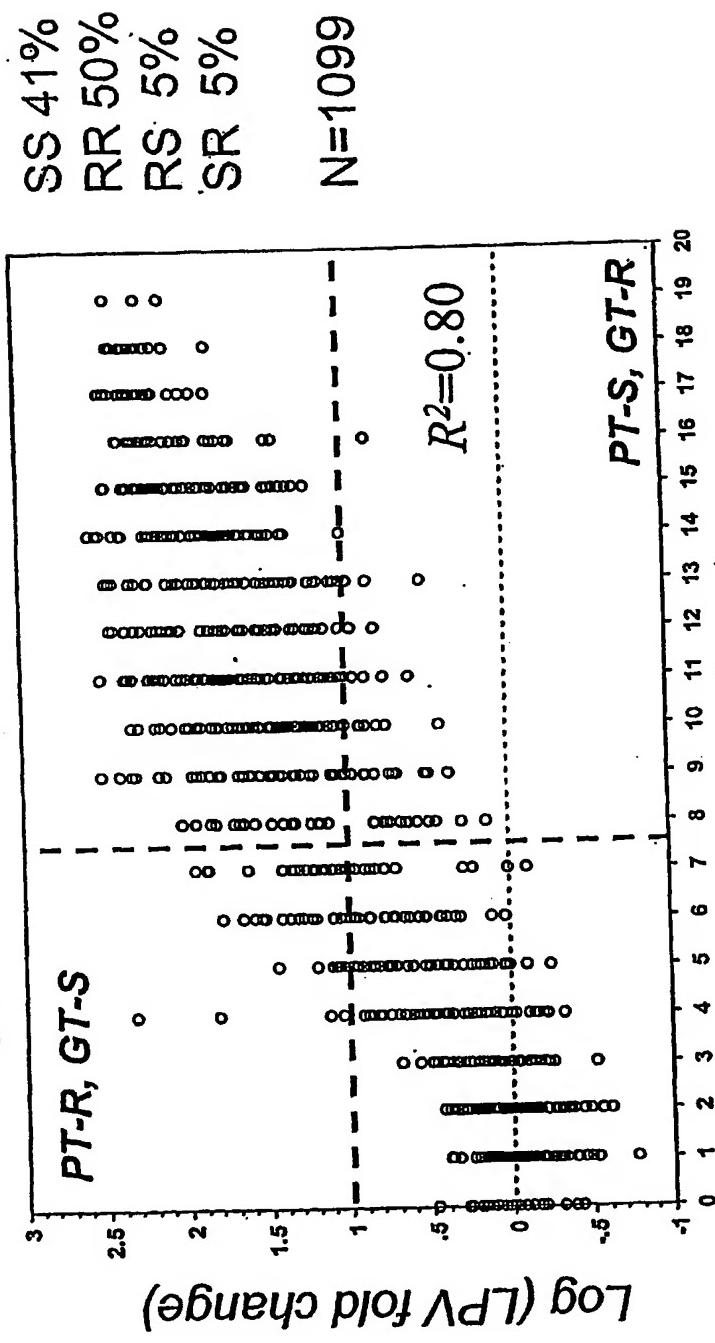


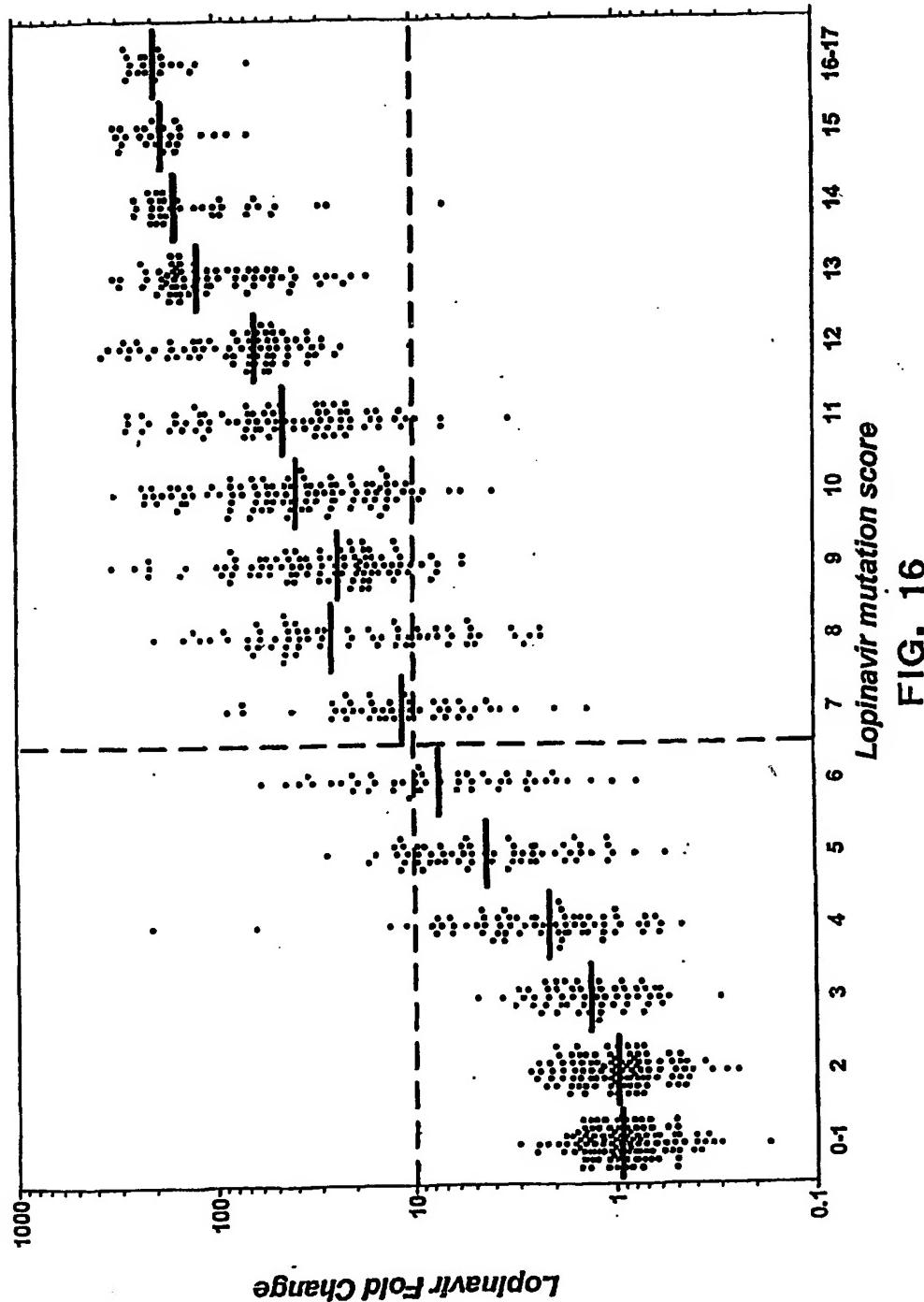
FIGURE 14

# LPV Phenotype VS. new Mutation Score

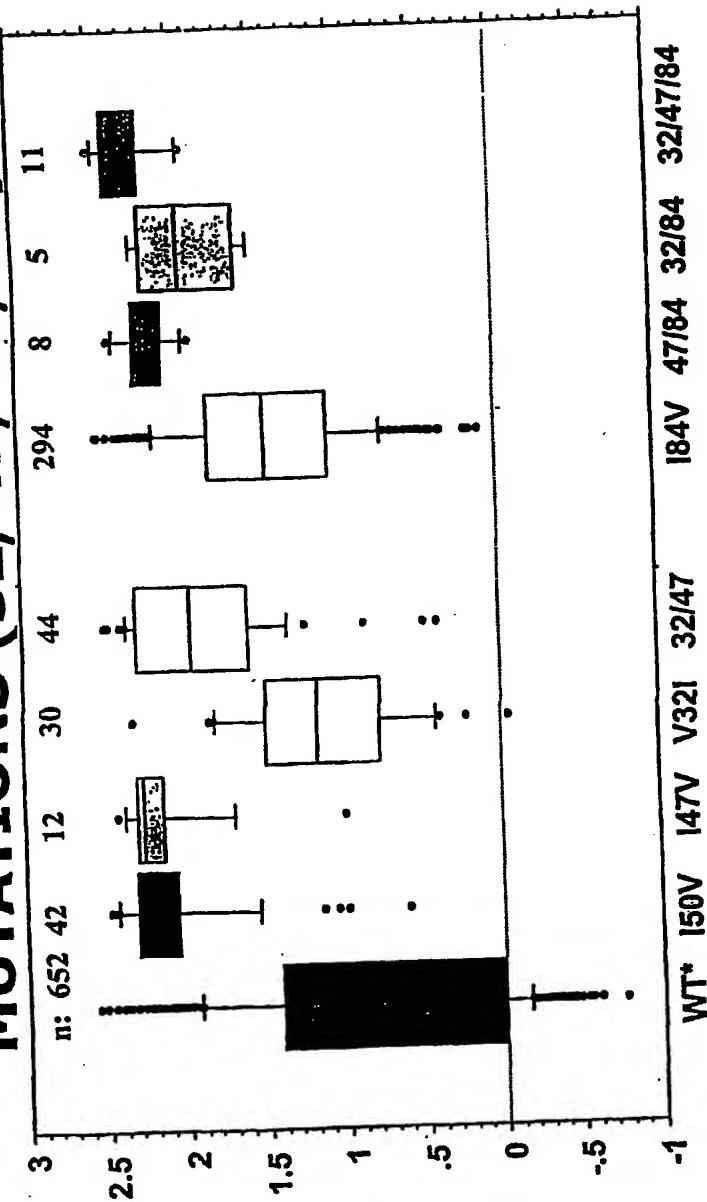


LPV Mutation Score  
(mixtures excluded from data set)

FIG. 15



**EFFECT OF APV RESISTANCE  
MUTATIONS (32, 47, 50, 84)**



\* WT = no mutation at 32, 47, 50, or 84

FIG. 17

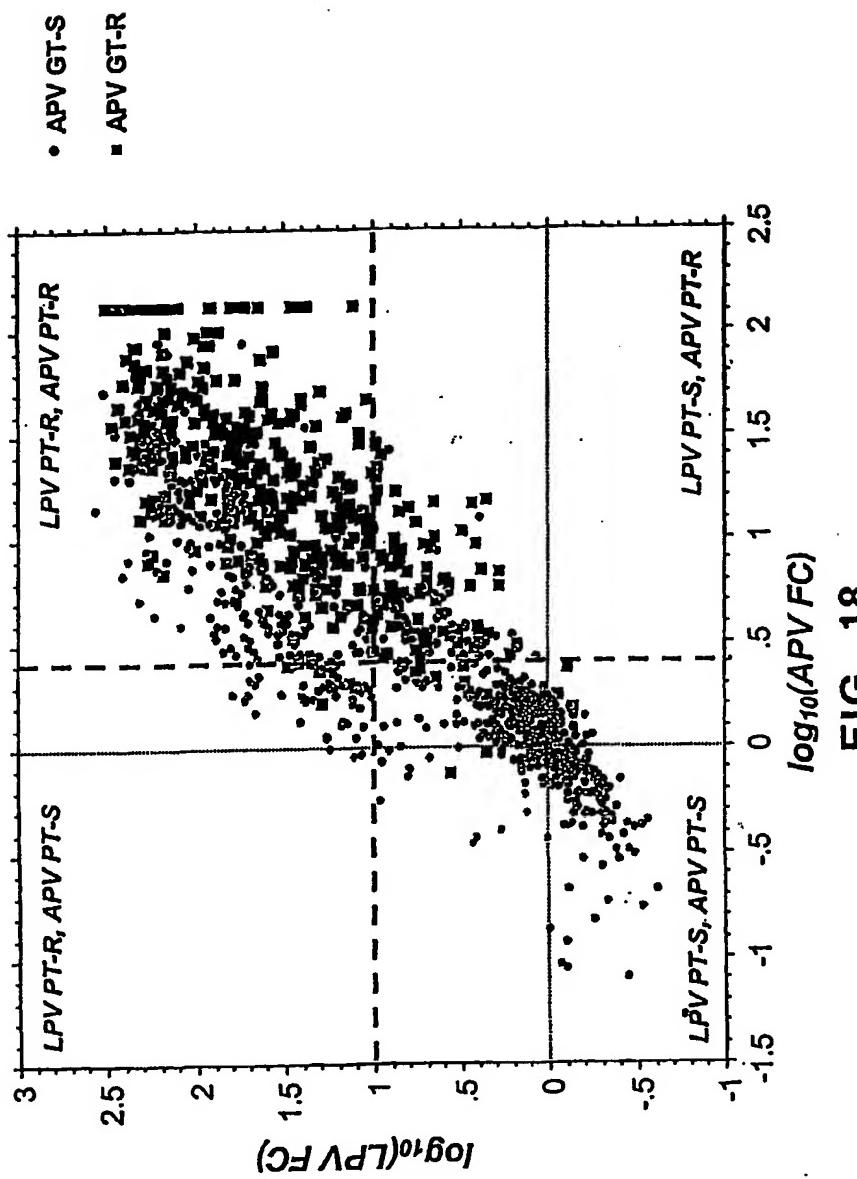


FIG. 18

## SEQUENCE LISTING

<110> Petropoulos, Christos  
Parkin, Neil  
Chappay, Colombe

<120> COMPOSITIONS AND METHODS FOR DETERMINING THE SUSCEPTIBILITY OF A PATHOGENIC VIRUS TO PROTEASE INHIBITORS

<130> 11068-026-228

<150> US 60/357,171  
<151> 2002-02-15

<150> US 60/359,342  
<151> 2002-02-22

<150> US 60/392,377  
<151> 2002-06-26

<160> 2

<170> PatentIn version 3.2

<210> 1

<211> 99

<212> PRT

<213> Human immunodeficiency virus

<400> 1

Pro Gln Ile Thr Leu Trp Gln Arg Pro Leu Val Thr Ile Lys Ile Gly  
1 5 10 15

Gly Gln Leu Lys Glu Ala Leu Leu Asp Thr Gly Ala Asp Asp Thr Val  
20 25 30

Leu Glu Glu Met Asn Leu Pro Gly Arg Trp Lys Pro Lys Met Ile Gly  
35 40 45

Gly Ile Gly Gly Phe Ile Lys Val Arg Gln Tyr Asp Gln Ile Leu Ile  
50 55 60

Glu Ile Cys Gly His Lys Ala Ile Gly Thr Val Leu Val Gly Pro Thr  
65 70 75 80

Pro Val Asn Ile Ile Gly Arg Asn Leu Leu Thr Gln Ile Gly Cys Thr  
85 90 95

Leu Asn Phe

<210> 2  
<211> 297  
<212> DNA  
<213> Human immunodeficiency virus

<400> 2

cctcagatca ctctttggca gcgaccgcctc gtcacaataa agataggggg gcaattaaag	60
gaagctctat tagatacagg agcagatgtat acagtattag aagaaatgaa tttgccagga	120
agatggaaac caaaaatgtat agggggattt ggagggtttt tcaaagtaag acagtatgtat	180
cagatactca tagaaatctg cggacataaa gctataggtt cagtatttgtt aggacctaca	240
cctgtcaaca taatttggaaag aaatctgttg actcagattt gctgcacttt aaatttt	297

**THIS PAGE BLANK (USPTO)**